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CAN YOU SEND FIVE HUNDRED WORD COMMENT ON BIRTH CONTROL-AUTHORITY CRISIS IN LIGHT OF SUSPENSIONS, CATHOLIC UNIVERSITY-POPE-CARDINAL O'BOYLE-BUFFALO, ETC.? WHAT SHOULD AMERICAN CATHOLICS BE DOING AND WHERE DO WE GO FROM HERE? COMMONWEAL

SPAPER NEWSPAPER

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NEWS AND VIEWS

It is easy, really, to understand the exasperation out of which arises the decision to march out of the Washington cathedral when the Cardinal-Archbishop mounts the pulpit, or the will to "invade" cathedral sanctuaries in Milwaukee and St. Cloud in attempts to read statements on "pressing moral issues."

For generations, the Catholic Church in the U.S. has been accused of not bringing to questions of secular urgency (war, poverty, race, etc.) the same sense of concern with which it responds to matters of parochial self-interest (schools, fund drives, etc.) or biological prejudice (birth control).

Nothing could have dramatized the validity of the accusation more clearly than the extraordinary reaction of American Church authorities, as epitomized by Washington, to dissent over *Humanae Vitae*.

People can hunger and languish and die, and the Church can stoically catalogue and subdivide the problems. But let the issue be sexual morality and instantly *everyone* is aware of the depth of the Church's feelings and the firmness of its commitment.

No wonder the reaction of the people in the pews. The Church fails to elicit loyalty or credibility for the simple reason that its empathies are out of all proportion in several directions to what circumstances demand. *Cheee-rist*, if by any logic the techniques of love should be able to claim moral indignation that dwarfs that accorded war, poverty and race, who can understand (let alone defend) it but a few aged clerical bachelors?

Now, admittedly the issue in the American Church isn't bedroom behavior alone; it is also debate over authority. But this last is at least partially a manufactured problem; the hang-up on sex has become a gallows for authority. It needn't have to the extent it has. The ground of contention was shifted by officialdom's colossal ineptness.

Whatever that, the authority business hardly affects demonstrations such as those in St. Cloud and Milwaukee (Washington is a special case because of the suspensions meted out by Cardinal O'Boyle). Catholics would still be protesting birth control emphases because of the disparity these accent in the Church's areas and degrees of concern. You can see why.

Take Washington. You have the spectacle of the Cardinal-Archbishop thumping his pulpit, dispensing his penalties, and acting with indignation supreme. Well, this might be vindicable, if . . .

If, for instance, last spring the Cardinal-Archbishop displayed comparable indignation over conditions that contributed to the riots which leveled block upon block of ghetto Washington.

Or if, when the rains turned Resurrection City into a sea of mud, and public indifference chilled its occupants colder than the weather, he rallied support for the poor and fumed about justice being done.

Maybe on both issues the Cardinal-Archbishop was on the side of virtue. But if he was, you have to presume it or strain to remember that he was; your memory doesn't tell you immediately that indeed he was.

And that's the point. By God, everyone—*everyone*—knows where the Cardinal-Archbishop of Washington stands on birth control. Wars we can tolerate under just war theories; racism we can minimize; poverty we can rationalize, But birth control? Watch out!

It's disproportionate concern such as that which sends some people marching out of churches and others rushing into sanctuaries with statements demanding a reordering of priorities. And you know what? They've got a case.

•

Jerry Rubin and Tom Hayden had great fun when they burned their subpoenas to appear before the House Committee on Un-American activities. Rubin, actually, was hilarious.

"Last time I appeared before HUAC, I made 400 bucks out of it and lived on it for a month," said Rubin, founder and leader of the Yippie movement.

Will he appear this time? "Of course I'm going. They pay you and give you expenses. We're going to use the money we make on this trip to finance the revolution." He adds, philosophically: "The dream of every American boy should be to go before HUAC."

HUAC, of course, deserves to have fun poked at it, but keep an eye on Congress. There's some unfunny business there that would give HUAC a new name and a new cloak.

House Resolution 148, introduced by Representatives Ichord of Missouri and Clawson of California, would change the name of the inquisitorial body to the euphemious title, Committee on Internal Security, and reword its responsibilities but allow all the old (and some new) intrusions on Constitutional rights.

H.R. 148 would preserve "the full jurisdiction and powers" of HUAC's investigatory body, and, by vague legislative language, would continue to authorize investigation of all matters "relating to Communist and other subversive activities," as well as of groups seeking, by violence or not, to establish "a totalitarian dictatorship within the United States," and of individuals and groups seeking to change the U.S. government by "treachery" (undefined).

H.R. 148 was reported out of the Rules Committee on June 28; on Sept. 24 it was still awaiting action. But console yourself not that H.R. 148 has been pigeonholed. It will come up and it is important that it be defeated—for the mandate it would extend to a Committee on Internal Security is heavy with violations of First Amendment guarantees of free speech, assembly and political activity.

•

temple free press, independent student paper serving the Temple community, names Mayor Daley as the leading candidate for its "Most-Constructive-Contribution-Toward-Bringing-About-the-Demise-of-an-Existing-Order Award." His closest rival, says the paper: Pope Paul. JOHN DEEDY

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CORRESPONDENCE

The Daley Lessons

Chicago, Ill.

To the Editors: We would appreciate your printing the following open letter to Mayor Daley and the Chicago police force:

During the week of the Democratic Convention you have rendered the city of Chicago and the nation the service of shocking us into realizing our responsibility to take an intelligent stand and actively participate in the task of creating a just society. Except for the events of that week we would not have understood that men can be trained:

to obey orders without question, without admitting individual responsibility for their individual acts

to strike out indiscriminately, without investigating who a man is or what is his business

to enjoy beating a man, even when he's down

to attack a man because he dresses differently or lets his hair grow

to believe that law and order are gods who favor the status quo

We might still have believed:

that the United States is a free country

that all Americans have equal rights

that American political parties represent the people and not political bosses

that the dissenting voice is welcome in both the parties and the nation

that nomination to the highest office in the land depends on the will of the people, not on the party machine

that the 1968 election will be a free election

that there would be the possibility of choice because each nominee represents different views

that the United States could never become a police state.

You have made it quite clear to us where free men must place their allegiance. We are ashamed, for the first time in our lives, of the Illinois delegation who hid behind police protection

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FLOORING POVERTY

In 1949, Senator Robert A. Taft said he thought the American people had come to believe that with "the high production of which we are now capable, there is enough left over to prevent extreme hardship and maintain a minimum standard floor under subsistence, education, medical care and housing, to give to all a minimum standard of decent living and to all children a fair opportunity to get a start in life." In 1967, the report of the Citizens' Committee for Children of New York published a grim rundown on poverty among children. "Of the almost 70 million children in the United States under age 18, no less than 14 million were living below the poverty line in 1965. Indeed, children constituted almost half of the 29.7 million persons who at that time were estimated to be living in poverty." Most startling was the fact that although about 3.5 million were in families receiving *AFDC* welfare assistance, 5 million others were living in families in which the wage earner was fully employed. What we have done through our incredibly bungled welfare policies is to make a mockery of the term "equal opportunity" by penalizing the children of the poor and insuring that they, too, will be poor. And their children as well. In New York City alone there will shortly be 1 million people on the welfare rolls, of which 20,000 will be full-time wage earners whose salaries are so low they can't support a family. Thousands of others are eligible but are too proud to apply. In many cases the welfare system actually penalizes families that stay together by enabling broken homes to receive more adequate welfare payments than the family head can earn by working at the $1.60 minimum. Clearly some sort of action is necessary to break this cycle, and to lift the penalties on the children who

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have been born to parents whose earning capacities cannot lift them past the poverty line.

Various answers have been put forth, the most compelling of which is the Guaranteed Annual Income and its variation, the negative income tax. Both would provide the poverty floor necessary to break the poverty cycle, but neither seems able to muster the public support necessary to get the legislation through. Everyone seems to want it—private and government economists alike, Daniel Moynihan and Milton Freedman—except the people, for whom the whole idea smacks of a handout, unlike farm subsidies, oil depletion allowances, tax credits and expense accounts. The idea that people's needs ought to be taken into account in the form of "social wages" seems not to have made any real impact on the American consciousness.

But now the concept of the family allowance, by which families would be paid by the state to help raise their children, is gaining ground. The idea is simple: augment income by across-the-board grants on the basis of family need. This has been done with remarkable success in 62 countries and is taken as a matter of human right. Now, a specific labor union proposal is on record: offered by Teamster Local 237 (Civil Service) for the 5,300 employees of the New York City Housing Authority, the plan, drawn up by Nicholas Kisburg, would offer families $5 per week for each dependent under 18 years of age. It would help end inherited poverty; it would stop punishing children. The Teamster proposal is a first step toward comprehensive family assistance and merits support.

FILES ON FIRE

The Baltimore Four, the Catonsville Nine, now the Milwaukee Fourteen—three dramatic raids on Selective Service offices in less than a year, all for the express purpose of destroying IA draft files, to protest the war in Vietnam and the conscription system which sucks men, against their will, into the war's carnage. According to press reports, as many as 20,000 draft files in the Milwaukee office may have been destroyed, a large proportion consumed in the protestors' symbolic, home-made napalm. Pragmatically, then, their action was effective. As in Catonsville, inductions will surely be halted in Milwaukee, perhaps for as long as a year.

But the aim of the Fourteen, who include five priests, a minister, a brother and members of the Catholic Peace Fellowship and Milwaukee Catholic Worker, was beyond the pragmatic. As they declared in a press release explaining their act, "men need to be reminded that property is not sacred," and, indeed, that "some property has no right to exist." They acted, they said, "to confront injustice," "to cry out in protest against institutions and systems destructive of man . . ."

For many, of course, this most recent file-burning will be yet another sign of the breakdown of law and order in America. To others, it will be seen as a direct result, chosen in desperation, of the government's unresponsiveness to legitimate protest against the war. To them, the government's seeming indifference to a growing body of public opinion signals a deeper, more ominous breakdown in the American system, to which, if nothing else, deliberately chosen, extra-legal protests call attention. For our part, the second interpretation seems more reasonable than the first. Therefore, we honor the action of the Milwaukee Fourteen, while at the same time we deplore its necessity.

To support the Milwaukee Fourteen is not to discount the potential misuse of direct action such as theirs. Other groups of less worthy motive and principle could also turn to public illegality on the grounds that the times are desperate. It has been done before. Nazi book-burning comes immediately to mind. Secondly, with the mood the country is in now, fearful if not vindictive, any defiance of the law or irreverence toward property may invite massive repression. Plainly put, it could make things worse rather than better.

Still, there is a risk in all action, and even doing nothing can risk complicity in evil. We believe that the Milwaukee Fourteen have made a strong moral and intellectual case for their choice of conscientious illegality, and thus we salute their action as well as their courage and integrity.

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Equal Time On Radio and TV

The law of the land requires that if broadcasters sell time to a candidate for political office, they must be ready to sell the same amount of time, at about the same time of day, at the same price, to all rival candidates. Similarly, giveaways to one candidate have to be available for all contending candidates. The object of these "equal time" requirements, administered by the Federal Communications Commission, is specifically to enforce impartiality of broadcasters toward campaigners and gen-

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erally to ensure "the public's right to hear opposing views on controversial issues of public importance."

The effect of these stipulations, described most notably in Section 315 of the Communications Act, has been, with the exception of what went on in 1960 when Congress temporarily scrapped 315, to keep major and minor candidates off the airwaves except in news or documentary programs under the editorial control of the networks. Broadcasters have feared to sell or give time to candidates since all contenders, including those with imagined or minuscule constituencies, would have to be shown into their studios. Impartiality toward politicians is a thankless task; besides, the money from regularly-scheduled revenue-producers such as "I Love Lucy" reruns would be diverted. Another consideration lies in the network conviction that politicians left to their own devices can drive audiences to the entertainment on competing channels.

All major commercial networks and National Educational Television want Section 315 dropped. If it were, the networks would be able to order their coverage of political campaigns in what they believe to be a more rational way which, they argue, would still be fair to the public interested in a spectrum of points of view. It is possible that Congress may soon oblige, and the juicy "programming" prospect of Humphrey-meets-Nixon-meets-Wallace may be realized, with the kind of production and promotion that will hold audiences. Obviously, suspension of 315 would not compel the candidates to *say* anything. The suspension of 315 for Presidential and Vice-Presidential candidates in 1960 mainly provided a showcase for Kennedy-Nixon image comparison.

Besides the "equal time" stipulations of 315, the FCC promotes its "fairness doctrine" to make the airwaves as open as possible. One of the differences between the "fairness doctrine" and the "equal time" regulation, however, is that the former allows for considerably more discretion on the part of the broadcaster. In effect, broadcasters can choose *how* they wish conflicting points of view to be expressed. That discretion is important to broadcasters in managing their editorial and economic affairs. Indeed, all broadcasters are carefully following FCC moves in taking to the Supreme Court a case decided against it in Chicago mid-September. There, the U. S. Court of Appeals for the Seventh Circuit found FCC rulings on some of these matters unconstitutional. For years, the Commission has held that its right to enforce stemmed from a fundamental difference between broadcasting and the press. Only economics, the FCC held, restricted whether points of view on controversial issues could be read by the public, whereas broadcast reception of controversy was limited by the number of radio and television frequencies available in the Herzian spectrum. The airwaves, with their finite frequencies, were a national resource to be administered by the FCC for all the people. The Chicago court disagreed, saying FCC rules "collide with the free-speech and free-press guarantees contained in the First Amendment."

This web of sticky law, questioned authority, competitive economics and failed aspirations to serve the public threatens breakdown of that aspect of our democracy Tocqueville found crucial: the ability of the eye of the press "to detect the secret springs of political designs and to summon the leaders of all parties in turn to the bar of public opinion." Today, as surveys have shown, it is television's eye which is the multitude's prime source of information.

At the moment, because of this breakdown, candidates have to pay for just about everything they get on the air, outside of regular news and public affairs coverage. This of course favors rich candidates. They can buy whatever minutes are already unsold, or they can buy out shows already sold. The cost is staggering: air time for a program already sold can go for $100,000. To that has to be added the cost of producing a political film or tape which fills the time. *That* can easily run $1,000 a minute.

Obviously, parties failing to catch the eye of news cameras or those with empty tills have trouble using television to present their position. In this category are the Peace and Freedom Party, many independent candidates and the various flavors of socialist activity. Not all lack the "major interest" networks look for in their selection of the newsworthy. For example, it may be of some importance for the electorate to hear the views of Black Power political groups, which would certainly have a difficult time doing their thing under the present system.

Several suggestions have been made to change the system. Newton N. Minow, once chairman of the FCC, proposed that the "equal time" requirement be scrapped in favor of networks' giving the Democratic and Republican National Committees four hours of free time each in the month before the election, with lesser amounts of time for other parties. Another former FCC chairman, E. William Henry, thought that for each half-hour purchased by a candidate, an additional half-hour ought to be provided free, to be divided between purchaser and rivals.

The problem affects broadcasting—as it should—in other parts of the Western world. In England and Canada, where the national instruments of broadcasting, the BBC and the CBC, can hold no opinions of their own, the state networks employ a system of free-time political broadcasts, although commercial broadcasters are allowed to sell time. Under this method, the state networks allocate a certain number of regular periods every year for the use of politicians, adding additional periods for election campaigns. The method of allocating the regular and campaign periods is perhaps too urbane for our political situation: equal numbers of major and minor party representatives meet in a closed session convened by the broadcasting authority. They are handed the total number of broadcasting periods available and must themselves decide how many are to go to each party. Occa-

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sionally, current representation in Parliament provides the key to the distribution of time, but more often the minor parties come away with a disproportionate share of the airwaves. In any case, the political matter is settled between politicians. The broadcasting authority provides coffee, tea and, ultimately, air time and production services, free.

The continuing dispute in the U.S. between broadcasters, the FCC and politicians seems to arise from the network propensity to view elections as journalistic and fiscal exercises. Politicians, on the other hand, seem to want to use television like a town meeting, free of the manipulation of editors or accountants.

For the moment, the situation reveals little genuine fluidity. To drop Section 315 alone would seem to make only broadcasters and perhaps the major parties happy. In this instance, it is possible the politicians are on the right track: with new rules not altogether pleasing to commercial broadcasters, but easily enforceable by the FCC, political television and radio could take on some of the dynamic of a town meeting. That such meetings can be dull and tedious, no New Englander could deny. However, they do remain durable American democratic inventions.

DAVID WALKER

(David Walker is editor of Yale Reports, *which produces radio and TV programs for the University.)*

COMMUNISM IN FERMENT

YUGOSLAVIA NEXT?

For months the Bulgarian Communist leadership and press have waged a bitter propaganda campaign of territorial revindication against neighboring Yugoslavia. The Bulgarians are seeking to prove that the inhabitants of the Yugoslav republic of Macedonia are Bulgarians and not a distinct Slav people possessing its own language, history, culture and national consciousness, as the Yugoslavs insist.

At first glance the dispute may seem nothing more than a revival of the old conflict between the Bulgarians and the Serbs over the possession of Macedonia, which goes back to the 1878 San Stefano Treaty, under which Russia awarded the province to Bulgaria. The great powers, meeting at the Congress of Berlin, however, overruled the Russians and handed the province back to the Ottoman Empire. But the Bulgarians did not give up.

They sought to seize the province from the Turks during the First Balkan War in 1912, but lost it to the Serbs in the second Balkan conflict later that year; they reoccupied Macedonia in 1915 during World War I but lost it again by the provisions of the peace settlement. Taking advantage of Hitler's attack on Yugoslavia in 1941, the Bulgarians annexed the province again for the duration of the war. In 1945 Macedonia was reincorporated into Yugoslavia and given the status of a distinct federal republic, in the hope that it would cease to be a bone of contention between the Bulgarians and the Serbs.

But what creates potentially the most dangerous threat to Balkan stability is the link between the traditional Bulgarian claims to Macedonia and the Kremlin's determination, reinforced since the occupation of Czechoslovakia, to force Tito to reverse Yugoslavia's domestic liberalization and abandon his policy of active non-alignment, which in Eastern Europe aims to encourage independence from Moscow's military and economic hegemony.

The virulence of the current attacks of *Pravda* and *Izvestia* on Yugoslavia is a measure of the Kremlin leaderships' anger against Tito. *Sovetskaya Rosiya,* for instance, blamed Moscow's troubles with the Czech and Slovak "counterrevolutionaries" on Tito's intrigues and ominously warned that Yugoslavia faced "fratricidal war." The Soviets seem convinced at this juncture that Tito's Yugoslavia is the focal point of the revisionist heresy, which has been sapping Soviet rule in Eastern Europe for years.

The Kremlin is furious over the encouragement Tito gave Rumania's Ceaucescu and Czechoslovakia's Dubcek in their opposition to the Soviet Union, and over Tito's triumphant visit to Prague only a few days before the Soviet invasion. The depth of the current conflict between Tito and the Kremlin is shown by Tito's public statement that after the aggression against Czechoslovakia the Moscow leadership is "capable of anything." As a result, Yugoslavia carried out a selective mobilization of its reserves and ringed its airfields with anti-aircraft batteries to prevent an uninvited midnight descent by the Russians, as had occurred in Czechoslovakia.

Judging by the tactlessness of Soviet diplomatic and military threats against Yugoslavia, Tito's precautionary measures are fully justified. In a stormy meeting, Soviet Ambassador to Belgrade, Ivan Benediktov, accused Tito of encouraging the gradual reestablishment of capitalism and a multi-party system in Yugoslavia, which are totally incompatible with the principles of Marxist-Leninism.

The Ambassador went on to demand that Tito give guarantees that he would arrest Yugoslavia's internal liberalization and would cease once and for all from interfering in the affairs of the Soviet satellite states. If Tito did not accede to these demands, the Soviet might assist the legitimate Bulgarian claims to recover Macedonia and the Hungarian claims to the Yugoslav autonomous district of Vojvodina, where half a million Hungarians live. Tito

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angrily dismissed the Soviet demands as a blatant attempt to curtail Yugoslav sovereignty; but the Soviet threat was too ominous to be ignored.

From the Kremlin's point of view, encouraging Bulgarian claims to Macedonia has the double advantage of projecting Russia as the traditional friend and protector of Bulgarian nationalism and of blackmailing Yugoslavia with the threat of territorial dismemberment if it does not cease to obstruct Soviet policies in Eastern Europe. In any clash with the Bulgarians assisted by the Soviets Yugoslavia would face the simultaneous danger that Maoist Albania might attempt to seize Yugoslavia's autonomous district of Kosmet, where some 800,000 Albanians live.

A further danger arises from the fact that the Kremlin might not be able to completely control the aroused Bulgarian nationalism and that the Soviet Union might then be drawn into a Balkan conflict, with unpredictable consequences, whether they genuinely seek such a confrontation or are merely toying with the threat for propaganda reasons.

The Yugoslavs regard their present position as all the more precarious since they are convinced that there exists at least a gentlemen's agreement between Moscow and Washington to maintain their respective spheres of influence in Europe. The Yugoslavs are convinced—and their views in this matter are shared by West European public opinion—that the amazing silence of President Johnson and Secretary of State Rusk on being informed of the Soviet plans to invade Czechoslovakia is proof of collusion between the superpowers to defend their own interests to the detriment of smaller nations.

Thus, when the Yugoslav press called the invasion of Czechoslovakia a "terrible blow to the cause of world Socialism," it did so with genuine feeling and conviction. For the Soviet use of military force to crush a genuinely popular Communist government in Czechoslovakia not only gave a strong impetus to new tensions and fears in Europe but encouraged a renewed consolidation of the two rival power blocs. In such a polarized world there is scant place for smaller non-aligned nations to pursue genuinely independent national policies.

MATTHEW M. MESTROVIC

(Matthew M. Mestrovic, who teaches European History at Fairleigh Dickinson University in New Jersey, recently returned from an extended trip in Eastern Europe.)

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STUDENTS IN REVOLT

AND NOW MEXICO

Why did the Army move in on the campus of Mexico City's Autonomous University (UNAM)? What do the striking students want? Many Mexicans are as puzzled as are US journalists and visiting tourists by the massive student strikes and demonstrations, which have been going on since July 26. Today the schools of UNAM are closed; so are the Polytechnic Institute, the Normal School and Chapingo, as well as smaller institutions such as the Collegio de Mexico. In all, some 150,000 students are on strike, and some of their teachers are actively sympathetic. Final examinations have been postponed indefinitely, until the strike is over. The student leaders say it will not end until their "requests have been acceded to."

The trouble started on July 26 when a student protest meeting, coinciding with the fifteenth anniversary of Castro's attack on the Moncada Army Barracks, ended in several street fights. When they continued, the special riot squads (*granaderos*) and the army were called in. Some students took refuge in the *Preparatoria* (high school), which is part of UNAM. Police broke down its doors with bazookas, thus violating UNAM's autonomy. Four students were said to have been killed that night, although the police admit only one casualty, Frederico de la O. Garcia, who, they say, died of fright after eating some sandwiches. *Novedades*, a Mexico daily newspaper, on July 29, gave as "50 or 60" the number of "students seriously wounded and taken in ambulances to different hospitals." Students, many of whom declare all the press is "*vendida*"—has sold out to the government—say that about 25 of these badly wounded have either died and been incinerated by the police or are being held *incommunicado*. On August 2 the Rector of the University, Dr. Javier Barros Sierra, accompanied by many of the faculty, led a mourning procession of about 70,000 students from the University campus. Students carried banners proclaiming slogans like "Death to the ape Diaz Ordaz" (the President of Mexico); many shouted the names of their chief enemies: General Garcia Barragan, Minister of Defense; General Cueto Ramirez, police chief of the Federal District; General Corona del Rosal, chief executive of the Fereral District; and Licenciado Luis Echeverria, the right-wing Minister of the Interior, whom many think is slated to be the next President of Mexico. Each time has name was uttered, the crowd yelled " *Buey*"—Ox—the rudest epithet in a country where to be *macho* (male) is the highest compliment. Some students declared later that this march was a put-up job between the Government and the Rector, who has political ambitions. Proof, they said, is that it ended half way to the Zocalo, at Felix Cuevas and Avenida Insurgentes, and then quietly returned to the campus.

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On August 13 the students marched alone, again some 70,000 strong, and this time reached the Zocalo, meeting on the way not a policeman, *granadero*, or soldier. Their march and meeting were orderly and peaceful, except for insulting speeches, slogans and banners, as was the four-hour march on Tuesday August 27, when 200,000 students marched through the city to the Zocalo.

In his address to the nation on September 1, President Diaz warned that he would again use armed force to put down "systematic provocation." But he also promised that if he found anyone was in prison "without due process" he would order his instant liberation.

These are the facts. What are the problems?

One is the lack of definition of UNAM's autonomy. Most prominent Latin American universities have what is called autonomy, derived from the historical fact that when first they were founded, in the Middle Ages, there were two types of university: Bologna, the earliest (A.D. 1100), favored the students; Paris (1150), the faculty. Salamanca, the earliest Spanish university, was modeled on Bologna, and so during the whole colonial period, the Latin American universities tended toward strong student influence. UNAM's autonomy is based on the *Ley Organica*, which can only be changed by act of Congress. The autonomy granted by this statute implies:

1) Control of UNAM's budget—the equivalent of $40 million US dollars a year.

2) Independence in the appointment of professors;

3) Administrative independence from the Ministry of Education.

But does autonomy also mean that police may not enter the campus to correct violations of law and order? To seize civil criminals? No meetings held on university property are subject to police control, but does this entitle completely non-academic groups—such as the striking railroad workers some years ago—to hold their meetings on campus? May professors teach anti-Government views? These are moot points, upon which town and gown hold differing views.

For example, the police declare that on July 30 they entered the Preparatoria only in pursuit of students who had committed ordinary crimes—sequestering buses, stoning ambulances, etc. The students declare they were law-abiding, and that it was police, disguised as students, who broke windows, set fire to buses, robbed stores and molested passers-by. Certainly the secret police arbitrarily detained some students and treated them roughly.

Student leaders demand to know "Who called in the army?" They say that, according to the Mexican Constitution, only the President may do so, not the Executive of the Federal District. By sending in the military on September 18, the President openly acknowledged that he is the one responsible. The police declare that the student leaders, though not all Communists, were obeying Communist instructions. The press agrees with the police, and *Novedades* carried a paid ad listing the four groups responsible for the disorders: The National Union of Democratic Students (Communist); The Communist Youth of Mexico; The Spartacist Communist League (Maoist and Troskyite); The Revolutionary Workers Party, whose leaders organized the campus brigades.

The University is liberally spattered with posters. And leaflets explaining the students' case and urging the formation of more brigades are pressed into the hands of passersby; money is begged "for our cause." The students are most amiable, and willing to discuss the situation.

The students' demands are: Freedom for political prisoners, students and others; payment to the families of the dead and wounded in the battles since July 26; abrogation of two articles in the Penal Code of the Federal District which restrict freedom of speech and the press in violation of rights expressly recognized in the Mexican Constitution; dissolution of the anti-riot squads; and dismissal of the chief and sub-chief of police.

The students' timing certainly suggests an element of blackmail. Mexico has spent an enormous amount of money in an all-out preparation for the Olympic Games, which are due to begin on October 12. Yet the games can be canceled by the Olympic Committee if there are civil disturbances within two months of their scheduled opening. The students have not succeeded in inducing workers and peasants to join them. But they have sustained their agitation in the District and nearby suburbs despite the authorities' increasing use of force against them. They have disrupted traffic, burned vehicles and engaged troops in pitched battles. In one six-day seige, seven people were killed.

The students who wish to jeopardize the Olympics—and to halt the building of the proposed Mexico City subway—say that it is wicked and wasteful to spend money lavishly on such luxuries as games and subways, when many Mexicans are so poor they need food, clothing and shelter. However, President Diaz Ordaz is determined that the games will be held; the Government considers that the damage to Mexico's economy and prestige, were they not held, would be irreparable.

The Rector has resigned, protesting the army's seizure of control of the University as an "excessive act of force." The Ministry of the Interior, meanwhile, arrested more than a thousand students and professors for "anti-social activities." It is a pity that the dignity and restraint, which both the students and the authorities had shown throughout August and the first three weeks of September, has been tragically and abruptly ended. It is now doubtful that the military will evacuate UNAM before the Olympics. And many will hesitate to attend the games—some out of fear, others out of disapproval.

ANNE FREMANTLE

(Anne Fremantle, well-known as an author, anthologist and critic, maintains a residence in Mexico.)

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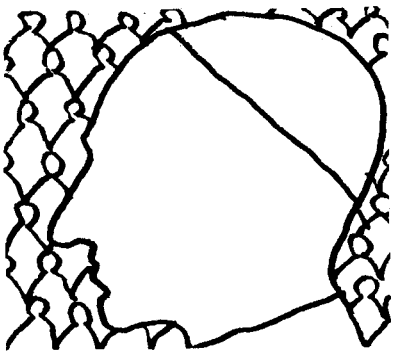
THE CRISIS—I

DOES THE POPE REALIZE?

HENRY ten KORTENAAR



Never, said Pope Paul in one of his weekly audiences soon after the publication of *Humanae Vitae*, have so many messages of gratitude and consent reached us, as now, on the occasion of our latest encyclical. Those among his audiences, who were familiar with the *Osservatore Romano,* had been aware of this: day after day the official Vatican newspaper had been publishing those messages. Many columns were filled each day with the texts of letters and telegrams, from all parts of the world and all classes of people: from "humble spouses" (as they always seemed to describe themselves) to archbishops and cardinals.

It is true, the Pope continued, that there are some who dissent, and some others are even actively opposed to our teaching . . . Prayer was the only weapon he intended to use against his opponents—prayer, and the suffering he had gone through while writing the encyclical, and the new suffering inflicted on him by their dissent.

This, then, was the official picture during those first weeks: overwhelming relief and gratitude throughout the Catholic world, some dissent, both from "outside" and from a few ill-advised Catholics, and perhaps (as was recognized by the encyclical itself) a great deal of human weakness, which made it impossible for all Catholics to attain at once the lofty heights indicated by the unchanging teaching of the Church, of which the encyclical was but the latest confirmation. This peaceful picture was at once unexpected (if one happened to be aware of the discussions which had preceded the encyclical) and singularly different from the situation as it appeared outside sunny Castelgandolfo. It made many wonder whether the Pope and his advisers were even remotely aware of what went on in the world beyond the Vatican, and whether he was as abundantly informed of the seriousness of the reaction to the encyclical as he appeared to be about the "worldwide applause" it had raised.

One must, however, remember that the Vatican always considers itself "in battle" with the "world," and that therefore its utterances are as reliable as all war-bulletins are: in order to understand their meaning, one has to read between the lines, one must compare them to bulletins issued on other occasions, one must see them in the context of hostilities waged on other fronts. If never before there had been so many expressions of gratitude, many observers noted that never before had there been such a strenuous and long-lasting effort to defend a papal document. Not one papal audience passed without the Pope referring, sometimes exclusively, to his encyclical. Often he appeared on the brink of tears; he insisted on his personal suffering to the point of making it seem an argument in the discussion. The stream of messages which poured from his table onto the pages of *Osservatore Romano* was soon joined by another stream, of articles by every known Roman theologian. Not one adversary was identified in these literary efforts, not one argument against the doctrine of the encyclical was clearly stated; each theologian repeated, in his own and in the Pope's words, the same arguments used in the encyclical.

This was the situation when the Russian invasion of Czechoslovakia and the Pope's trip to the Eucharistic Congress in Bogotá somewhat diverted attention. On his departure for Colombia and in several later speeches the Pope strongly condemned the Russian attack on the freedom and the national dignity of the Czech people. During his stay in Bogotá he referred to *Humanae Vitae* in a speech to newly-wed couples and, briefly, in his speech to the Conference of Latin American bishops. He did not, however, mention birth control to the *campesinos,* for whom he quoted Bossuet on the "eminent dignity of the poor" and whom he warned against the dangers of

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revolution. *Osservatore Romano* was filled with pictures of enthusiastic crowds and lofty reports from Bogotá. *Humanae Vitae*, for the time being, was allowed to drop into the background.

The war, however, was still on, and Paul VI did not forget it. "Also the pastors of the Church—is it not true?—" he said to the Latin American bishops, ". . . feel the instability which threatens us all . . . The mistrust, which, also in Catholic circles, has been disseminated about the validity of the fundamental principles of reason . . . has disarmed us in the face of the attacks, often radical and captious, of thinkers who are in fashion." And after enumerating some of the heresies, which keep threatening us (historicism, relativism, subjectivism, neo-positivism), he launched a broadside attack on "some" theologians: "We have a great esteem for, and a great need of the function of good and capable theologians; they can be providential scholars and skillful expounders of the faith, if they themselves remain intelligent disciples of the ecclesiastical magisterium . . . But today some have recourse to ambiguous doctrinal expressions, and others arrogate to themselves the permission to proclaim their own personal opinions, on which they confer that authority which they, more or less covertly, question in him who by divine right possesses such a protected and awesome charism; and they even consent that each one in the Church may think and believe what he wants, thus falling back into that liberty of examination which fragmented the unity of the Church itself, and confusing legitimate freedom of moral conscience with a misunderstood 'freedom of thought,' often in error because of insufficient knowledge of genuine religious truths."

I have quoted at some length from this truly important speech, because it reveals so clearly what moves Pope Paul in his major decisions: it is, as he said himself on that occasion, fear: "We share in your distress, Brothers, and in your fear." It had been a recurrent theme in innumerable speeches of the last five years, and the object had always been the same: freedom, independent thought, "indocility." Nowhere had these dangers been so patent as on the issue of birth control, where not only theologians and bishops had taken different views from the traditional teaching, but the "simple faithful" had been encouraged to consult their own conscience and make their own decisions. Nowhere, therefore, had there been such a necessity to re-assert Rome's exclusive teaching authority, that "protected and awesome charism," which the Pope alone possesses. From this viewpoint the publication of the encyclical had been logical and inevitable: the Pope had taken his stand—a highly courageous, though tragic stand—not (it must be pointed out) unaware of what was going on in the Church, but *precisely because* he was aware of it.

It would have been beautifully simple, if the adversary, as of old, had been only the "world," with its lust, its self-indulgence, its human pride. But had there been no sincere seeking of the love of Christ, of personal responsibility before God, no pity for the multitudes? Of this the Pope seemed to be unaware, as he denounced those who opposed his teaching. And it is this profounder unawareness which has made his stand so unbearably tragic, both for himself and for the Church—and which has so greatly increased the danger of a "short circuit" between Rome and the rest of the Church.

It must have been a grave shock to Pope Paul, when, after the theologians, whose opposition was easily disposed of, some of his brothers in the episcopate felt it their duty to express their reservations and to qualify his teaching in letters to their faithful. The Dutch bishops only made a cautious statement immediately after the publication of the encyclical, of which the most remarkable sentence was, that they hoped "that the present encyclical may contribute to a better understanding and a better functioning of authority in the Church."

Stronger reactions came later from the German and Belgian bishops. The Belgian pastoral letter said in so many words, that "if someone, competent on these matters, comes to a different conclusion from the one taught by the Holy Father, he has the right to follow his own conscience, provided he be willing to continue in his search." Neither of these documents was published in *Osservatore Romano*, but suddenly the messages reappeared, and on three consecutive days Father Gagnebet, O.P., of the Congregation for the Doctrine of the Faith, held forth his views on what a Christian's reaction to a papal encyclical should be. They were lengthy articles, but the upshot was simple enough: when the Pope speaks, there is no such thing as a personal conscience.

The Pope spoke again, but this time in far harsher terms than he had ever used before: he spoke of "a spirit of corrosive criticism," he accused Catholic papers of "one-sided information about matters which reflected negatively on the Church." And after the German laity, in their annual gathering of the "Katholikentag," had unanimously invited him to withdraw his encyclical, he said, in his last audience at Castelgandolfo: "What to say of collective and concerted protests against our recent encyclical? Where are the consistency and the dignity which belong to the true Christian? Where is the sense of responsibility for their own and other people's Catholic faith? Where is the love for the Church?"

There are many signs that Pope Paul tends more and more toward taking a "hard line" with dissident Catholics. The most tragic fate which could befall the Church, a battle of consciences, seems to have set in, and, as always in such cases, the parties seem to speak two entirely different languages. No doubt the Lord, who has done so before, will raise men gifted with the spirit of interpretation. But in the meantime the wish of the Dutch bishops, that the encyclical may help toward a better understanding and a better functioning of authority in the Church, is still very far from being fulfilled.

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THE CRISIS—II

WHAT DO THE PEOPLE SAY?

In the light of Humanae Vitae *and the authority crisis in the Archdiocese of Washington and elsewhere, a number of leading Catholics were asked: "What should American Catholics be doing and where do we go from here?" Their comments follow:*

JOHN COGLEY

The Catholic Church is going through something—whether a passing crisis, a revolt, a profound transformation, or a last agony remains to be seen.

If what is happening had taken place a decade ago, the word would almost certainly have been "revolt." A priest who refused to abide by the teaching of the magisterium in his public preaching and teaching would certainly have been disciplined. Both the Catholic and the non-Catholic communities would have expected no less. The fair price of disobedience in matters of faith and morals, all seemed to agree, was suspension, even excommunication.

Thus, there was no great outcry when Father Leonard Feeney, the no-salvation-outside-the-Church Jesuit, was deprived of his priestly faculties and his followers were excommunicated, in the early fifties. The late Archbishop of New Orleans was widely commended when, a few years later, he took drastic action against ardent segregationists in his flock. The steps taken to purge Father DuBay, on the left, and Father DePauw, on the right, brought on no massive protests. Both these actions took place in recent years. Neither priest, incidentally, did anything as serious as speaking against a clear-cut teaching of the reigning Pope, at least in public.

What has happened, it seems to me, is that the most articulate members of the Church now have one idea of the hierarchical structure of the Church—a concept that would have been declared patently heretical even a short time ago—and the hierarchy, from the Pope on down, has another. The official documents, teachings, and even defined doctrines of the Church speak one language; the theologians are one way or other speaking another. Moreover, the great mass of the faithful seem to be siding with the theologians, however bravely Paul VI speaks of the general docility with which the encyclical *Humanae Vitae* was received.

Something, it is clear, has to give—and soon.

I see two possible general directions in which the Church can move.

It can continue to hold on to its traditional teaching on authority and act vigorously on it—as Cardinals O'Boyle and McIntyre, for example, are doing. Taking this course, the hierarchy will have to discipline rebellious priests and theologians; make it clear to the layman that when his conscience tells him that the Pope is wrong, it is his conscience not the Pope's that needs straightening out; and expect to lose many followers and accept some version of the *diaspora* situation that some prominent theologians were talking about a few years ago.

The second choice is for the Church to admit that its claims for the magisterium were in the past wildly, and even perniciously, exaggerated. The result of that exaggeration was an admirable discipline, but—the present dissenters imply even if they hold off from spelling it out—the discipline was purchased by increasing human misery in the world, creating false consciences among the faithful, and misreading the will of God for mankind.

To ask the Church to take this second course is admittedly asking a lot. But why doubletalk about it, especially at a time when ecclesiastical credibility is already in such bad estate? Why not say that the Anglican and Protestant Churches were more correct in their ecclesiology, their moral teachings, and their faithfulness to the spirit of the Gospel than the Church of Rome, which for so long made the kind of claim its own best theologians are now rejecting?

If, for example, the Anglicans were right about contraception all along and the Romans were wrong, who are the surer moral teachers? Of course, the Anglicans never pretended to be right in the authoritarian way Pius XI and Pius XII did. That, it strikes me, is the heart of the present controversy. The most-sure-of-themselves, according to the dissenting theologians, invested the prestige and power of all ecclesiastical authority in their own error—and, for that matter, they are still doing so.

That is why the present controversy should not be focused so much on birth control as on the Church as Mater et Magistra. If we accept the position of the dissenters, Catholicism has failed conspicuously on both counts, as mother and as teacher. If we accept the position of the disciplining and anathematizing bishops, its record is not fundamentally flawed: however stern its guidance, it is still behaving like a mother; however incredible its teaching to modern men, it is still acting as a teacher—the rest of Christendom is wrong on contraception, not the Church of Rome.

Since this whole controversy began, I have read dozens of elaborations on how, and why, the modern theologians

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and laymen are right about this issue and the Pope and the bishops who support him are wrong. Some arguments are subtle, some inventive, all are presumably sincere. It is clear, however, that none of them is based on the same idea of the papacy that the Pope himself has of his office. They all add up to the same message: the claims of the magisterium have been dangerously escalated over the centuries, they still are, and it is time to bring them down to size. What we were long led to believe was the product of divine guidance has turned out to be nothing more mystical than the domination of an ecclesiastical power elite which has lost touch with reality.

The questions now, then, may be such as these: If the Pope isn't all we were taught to believe he is, precisely what is he? A *primus inter pares* bishop? One more bad theologian? A sincere but self-deluded relic of another age?

There is no doubt that the papacy, the magisterium, and the authority of the hierarchy are all being ruthlessly demythologized. At the same time, the millions who have lived under the old myths clearly don't want to give up the community they share. They won't accept the old myths but are ready to remain with a demythologized version of Catholicism. Is that possible? The Pope and his bishops say no; the theologians say yes. Most of us don't know and won't until the bishops and the rebellious theologians reach some kind of agreement.

GEORGE HAFNER

The agonizing cries from Washington are the sounds of the birth pangs of theology aborning. Theological changes are achieved not through abstract discussions among scholars. Theologians merely give reasonable basis to what has occurred in the living community. Vatican II produced only a confirmation of what had been developing in the life of the Church for a century. The enforcement of the birth control encyclical is raising such a furor because it does not reflect the theology of the living Church.

The new theology of our time is being created in the parishes of Washington these days. The people and priests are indicating that the Church no longer believes the previous theories that divine guidance is limited to the hierarchy, that Jesus decreed an authority in the Church which is autocratic and non-participatory, and that the opinions of Church leaders exercise unquestioned control over the conscience of the people. The hierarchy rightfully feel threatened, for they are being made aware of a change in theology of which most had no inkling. Unlike the debates over disciplinary matters such as celibacy or rubrics, this issue implies a basic change in the very theology of organized religion. The fundamental question being raised is: "Who creates the theology in the Church?" If, as a result of the conflict, the hierarchy have to admit that they have been instructed by the people, a radical change in theology will have taken place.

Like the confrontations provoked by Martin Luther King or by the Catonsville Nine, these confrontations must bring about a temporary polarization on this crucial issue so that some clearly defined decisions can be made. Responsible Catholics should feel it their duty to enter into this creative conflict with the hierarchy. The depersonalizing authoritarianism which has for so long been the style of life of the hierarchy must be destroyed. There is no other way. Every new concession by Rome is countered by a reversal in some other area. What is painfully obvious is that concessions are granted only as a response to pressure and with reluctance. There is not one shred of evidence that any real reassessment of the authoritarianism hanging over from feudal days is even possible in the minds of the hierarchy. No senate of priests or laity has been considered as having more than an advisory capacity. Both the Pope and the bishops continue to operate as if the myth of divine guidance of the hierarchy were capable of continuance. It becomes more and more evident that authority will be shared with the non-hierarchical members of the Church only if the non-hierarchical members take it.

The surest way the hierarchy can be convinced and the average churchgoer informed of his freedom is by public acts of embarrassment, defiance, subversion, disobedience, etc. If priests who babble nonsense or untruth regularly on Sunday mornings were openly challenged during their sermons, not only would they feel compelled to prepare more carefully but the whole mystique of the silent pews would be shattered and the one-way conversation would cease. If bishops were openly confronted in the press or at public ceremonies when they refuse to speak about civil rights, poverty and war as effectively as they do about love-making, they would be called publicly to account for their inertia and lack of leadership instead of being permitted the comfort of silence on the real issues of the day. If pastors who build schools or close them without consulting the people were presented with a protest in the local press rather than one of those useless petitions which serve only as a catharsis for the senders, they would soon be ready to dialogue with their parishioners before any major decisions were made. With a little imagination one can devise an endless string of protests which will both inform the laity of the possibility of exercising their basic human rights within the Church and serve notice on the hierarchy that the days of absolute, non-responsive power have ended.

The theology of authority in the Church is being written today in the Church in the United States where, more than anywhere else, responsible Catholics are exercising their Christian responsibility through creative conflict. If we opt for an easy truce, or worse, if we hide from the conflict, we can only look forward to more erosion of respect for authority and moral leadership in the Church.

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ANDREW GREELEY

The crisis created in the Catholic Church by the encyclical *Humanae Vitae* raises questions on several levels about the future of the Church. The least important question is the ethical one. Despite the agonizing in the liberal press (Catholic and non-Catholic), the survey data coming in from all over the world indicates that the papal letter is not creating crises of consciences for either laity or younger clergy. The great majority of both are simply ignoring the document—if they have not become *more* pro birth control because of it.

The theological question is more important; there has been and still is a great deal of obscurity about the nature of the ordinary magisterium of both the Church and the Pope. Further, the precise meaning of "religious assent" is not even clear in the old theology manuals, much less in the scripture or tradition. *Humanae Vitae* will probably accelerate theological research on these problems. Theologians must also wrestle with the interesting problem of how the Holy Spirit tolerates one belief in the Pope and large numbers of the hierarchy (however reluctantly) and the opposite in most of the clergy and laity; the teaching Church and the believing Church seem far apart.

But the critical questions are cultural and strategic. We are obviously in the midst of a Thermidorian reaction to the Vatican Council. The decision, heralded by Pope John in his opening address, to enter into open dialogue with the modern world has been repealed—or at least a vigorous attempt is being made to repeal it. The Pope's birth control decision—apparently merely one symptom of a drastic change in the papal line—has been a signal for the hard-line conservatives all over the world to attempt to restore some semblance of the status quo ante. Granted that they cannot succeed and granted that Cardinal Pelegrino's prediction of a possible quick repeal of *Humanae Vitae* (presumably in the next papacy) is probably accurate, the question still remains as to how Catholics who do not want to turn their backs on the spirit of Vatican II ought to react.

There are two possible reactions—confrontation or "cooling it"; one may, to indicate my biases, choose either the strategy of Thomas More or of those Roman virgins who threw themselves on the martyrs' pyre before the soldiers could push them. By "cooling it" I mean avoiding escalation whenever possible, staying away from crisis wherever feasible and working out compromise solutions wherever some kind of compromise seems practical. One must of course protect one's conscience and the rights of oneself and of others; but one avoids wherever possible public confrontations.

There are a number of reasons for following such a strategy:

1) The politics of confrontation are generally unsuccessful. Several years of them in this country are about to hand a conservative party its biggest victory in four decades. It's a heavy price to pay for the consciences of hard-line leftists.

2) The Thermidor thus far has not been too intense. When one considers the large number of dioceses in the United States and the possible crackdowns that could have occurred, those that have are only a handful. I am not arguing that the rights of those involved in the "crackdowns" are unimportant; but I am saying that the absence of repressive measures thus far when considered along with the very lukewarm endorsement of the encyclical by many bishops indicates that most of the hierarchy has little stomach for the Thermidor. If rumors are to be believed, the attempt of the hardliners to win endorsement at the meeting of the administrative board of the National Conference of Catholic Bishops was easily turned aside. Escalation would force the moderate and hesitant leadership into the arms of the hardliners.

3) To meet escalation with counter-escalation is playing into the hands of the hardliners because it allows them to lay down the rules of the game and to fight the battle on their own terms. It is not clear what such a strategy will accomplish; and it offers little hope for shortening the Thermidor.

How long this bitter reaction will last is anyone's guess. Given the methods of selecting leadership in the Church and the apparently available successors to those in top positions, it could last a long time. A more optimistic view would be that it may already have spent its force as the massive but respectful resistance to *Humanae Vitae* becomes apparent. In either case, not much is to be obtained by needlessly tearing apart the organizational fabric of the Church—and surely not at this point in the controversy. Those moderates who refuse to "cool it" and join the hardliners in style if not in substance are displaying little political sense—a mode of behavior all too common in American society at the present time.

JOHN L. McKENZIE

The procedures in Washington and a few other dioceses are not revivals of the Renaissance Church, however one may be tempted to think that they are. These are not heresy trials. There is no heresy involved; there are no trials, even canonical trials; no one is being burned or imprisoned. Nevertheless, I fear that the only reason no one is being burned at the stake is that civil law in the United States will not permit it. There is nothing Catholic or Christian in the proceedings; one observes, as far as one can read press reports, no efforts at reconciliation, at a genuine meeting of minds. The tactics of the bully can be recognized in any order. One can project that Washington is being closely watched as an experiment. If repression succeeds there, it will be tried elsewhere. If it does not succeed, Cardinal O'Boyle is put in a hot corner.

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There are substantial reasons to wonder whether the Catholic University will finish the present academic year. There are also substantial reasons to wonder whether, if it should be closed during this academic year, it will reopen in the following academic year.

The encyclical *Humanae Vitae* raises serious problems. There are genuine difficulties which have been stated seriously many times. No effort has been made to respond to these difficulties. The refusal to deal with these questions earnestly is offensive; to repress as many questioners as one can reach is totalitarian. What ought to be an area of friendly discourse has been turned by some of the bishops into a power struggle. The question of birth control was never a question of authority and should not have become a question of authority. One who believes that the Pope has blundered does not by that very fact renounce his allegiance to the Pope; by the same token he should not be treated as one who has renounced his allegiance. The Church has always found room for those who are less than perfectly obedient. If it did not, it would have no members—and, I may add, no hierarchy.

One is surprised and alarmed that contraception has become the *homoousios* of this generation. It simply does not seem to be sufficiently important to become the test of orthodoxy. One suspects that it has become so important only because massive disobedience is seen or expected. Will massive disobedience be turned to docile submission by the heavy hand? And this brings us back to the power struggle. The base of episcopal power is really very slender; essentially it is the free consent of those who accept it. When this consent is withdrawn, episcopal power disappears. One has to make an exception for priests. The bishop has some economic power over his priests. Most priests have reached an age where departure from the priesthood implies the risk of not finding a livelihood. This danger is perhaps not as great in this generation as it was a few years ago. Far from being a social leper, the ex-priest now may become a hero; it is we who remain who run the risk of being called lackeys.

The processes of suspension make it clear that submission to the encyclical cannot be a matter of conscience, in spite of the fact that theological tradition recognizes that conscience is an important factor. By his obedience the priest in some dioceses has lost his freedom of conscience, an interesting theological development which should be pursued further. He may indeed be thought unworthy of the priestly ministry because of his personal problems, although one wonders again whether the problem is really of this magnitude; but he is not expected to be unworthy. He is expected to surrender, and this is dishonestly imposed by authority. One would think that a question which caused so many people to have problems of conscience might not be as clear as those in authority say it is. The Belgian, Dutch and German Bishops have recognized this. Cardinal O'Boyle has stated that he does not share their recognition. It seems fair to deduce that the laymen have even less freedom of conscience; but they will enjoy it because enforcement is impossible.

They shall know we are Christians by our love.

SALLY CUNNEEN

The epic of Vatican II, which so greatly improved the image of the Church in the eyes of the world, has been replaced by a comedy of uncertain merit designed to undercut that impressive vision of diversity within unity. In one important sense, however, the crisis within the Church, which is being forced by Rome's visible attempt to recapture earlier power, can be an even greater force for necessary change within the Church than the Council. For Rome has chosen the one issue in which so many Catholics have been forced painfully to grow up and make their own moral decisions. Hence they can only look on attempts to deny their right to do so as not only a legalistic, anti-historical gesture, but as a serious threat to the life of the Church as they love it and are a part of it.

Because of actions like those of Cardinal O'Boyle, which highlight the incredible split between the hierarchy and the rest of the Catholics in this country, many dedicated Catholics who would otherwise have been charitably silent now feel compelled to speak out on behalf of those who are being encouraged to obey without making their own decision. This growing number of American Catholics now feel obliged, precisely by their understanding of obedience, to stay in and fight. As one woman wrote me, "After spending 15½ years of marriage trying to believe that the Pope and the bishops knew what they were talking about, I will not let others be misled and nearly destroyed as we were." In the same letter she spoke joyously of their recently adopted son of mixed black and white parentage. For such people, and for those in the middle who may now be led to "choose" Christianity rather than accepting Catholicism as a birthright, an ethnic heritage, or a middle-class social custom, the authority crisis may well be a crisis of growth.

For the Church as an influential institution in this country, attempts to bring theologians and pastors into line risk stripping the Church and its universities of its most creative and dedicated men. If there is a vocational crisis now, the one following any such attempts at a purge would be of infinitely greater proportion.

Many young people who are impatient with bureaucracy of any kind would greet this institutional dissolution with glee. But large groups of Catholics opposed to the encyclical and even more to its unrepresentative, unconciliar method of promulgation would be sad at this hardening of positions and at the continuation of this country's hierarchial tradition of not listening and not knowing what is going on in the Church. Those Catholics who have come through the travail of their own harrow-

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ing moral decision feel a tremendous sense of responsibility to help all men reach a life that is at least bearably human. They cannot help but suffer at the thought of the loss of moral authority in that Church which showed every sign of using its divine gifts to stand beside man in his struggle for humanity today.

The woman who wrote she would stay in and fight added, "I'd like to write a complete refutation of the whole encyclical as having no relation to people, but I'm so damn sick of all this churchly emphasis on sex." The comedy, then, is a dark one. Many devout American Catholics find themselves embroiled in a controversy which seeks to place them either as "loyal" to their bishops or else as siding with birth control as a panacea. But they know better. The answer to the Pope and bishops must be that the rights of conscience are sacred and that they should be helping to inform and free consciences, not coerce them. But these Catholics also know, as they read the reactions of Latin Americans and Indians, as well as from the experience of their own lives, that contraceptives are not *the* answer. The thrust of responsible American Catholic thinking and action must not get bogged down in birth control arguments. Let those who need the education go through it, with charity on all sides. Most of us have had too much of it already.

The kind of attitude one hopes will prevail is that shown by the New York Association of Laymen, which didn't get around to expressing its loyal opposition to the encyclical for a week because of its activities in trying to provide an air mercy mission to Biafra. One can only hope that those Catholics who no longer share the sexual hang-ups of the "official" Roman Catholic Church will not let this ridiculous albatross prevent them from turning their minds and energies to those areas their awakened consciences dictate, for only in this way can the Church reach out to man in the future.

ROBERT O. JOHANN

When Cardinal O'Boyle says that opposition to the ban on birth-control is a test of the "authority" of the Church, there is a sense in which he is absolutely right. The authority of the Church, *i.e.*, of the Pope and Bishops, as it has been understood up to now, *is* on trial. The "system" as we have known it *is* being tested.

It seems to me useless, therefore, to protest the Cardinal's baroque behavior in dealing with his dissident priests without at the same time protesting even more strongly against the system which makes such behavior possible and with which it is in complete accord. His primitive reaction to dissent is what might have been expected—just as the Kremlin's in relation to the Czechs was—if one is going to keep the system intact. The Cardinal and the Kremlin are bent on doing just that and have acted with complete, even if ruthless, consistency.

The "system" we Catholics have inherited from the past is rigidly authoritarian and paternalistic because, for reasons which inherently have nothing to do with the faith, it has been conceived and fashioned along the lines of a dualistic rationalism. The basic assumption of rationalism is the division it sets up between the second-rate reality of our everyday lives and some higher order of the really-Real. Everyday experience is felt to be too ragged an affair, too much a matter of loose ends and leftovers, to be able to stand on its own feet or be entrusted with the task of developing adequate standards for its own regulation. The only way human life can be regulated is by appeal to a higher order to which either Reason or Revelation gives access, and which we are duty-bound to accept. In this light, of course, community is reduced to conformity. The only social order conceivable is one based on obedience and conformity to authoritatively promulgated norms and standards. Communication becomes strictly a one-way affair, from the top down. Instead of being a cooperative enterprise in which each party has a distinctive and positive role, it is reduced, on the one hand, to the simple expression of antecedent verities, and of authoritative decisions based upon them, and, on the other, to passive acceptance and obedient submission. In other words, a static order is set up, genuine communication is non-existent, change is the enemy, and real renewal is impossible.

This is the basic hang-up of the official Church today. Its incapacity to undertake seriously the work of renewal is not a matter of bad will or stupidity, but of the unquestioned presuppositions on which it has operated for centuries and from which it is still unable to free itself. The rationalist mentality can envision only two alternatives (witness Pope Paul's frequent warnings about reform): either an order and arrangement of life pretty much as we have known it in the past, or complete chaos. It is a mentality that cannot even envision renewal except as a matter of patching up here and there a system accepted as already essentially sound.

So long as the epistemological presuppositions of the procedures and practices of the official Church remain what they are, the "band-aid" approach to reform is the only one possible. Much more than the new theologies coming out these days, what the Church really needs is a new epistemology.

THOMAS P. NEILL

I am not directly affected by the teaching of *Humanae Vitae*, since I do not advise or teach about sex, and the the last of our nine children is twelve. My concern is with the way it was promulgated and arbitrarily enforced in many dioceses. Pope Paul VI acted contrary to Church tradition in speaking solemnly on a theological issue on which there was serious division of opinion, and he re-

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jected the majority opinion for that of a small minority, a presumptuous way to make a theological decision.

The Pope expressly stated that this was not an infallible statement, but it is being so treated by some bishops. Why are these same bishops relatively unconcerned with the teaching of *Populorum Progressio* and *Pacem in Terris*? Why no episcopal letters telling people they sin if they do not give substantial aid to underdeveloped countries? The simple fact should be faced that developments in the Church such as Jansenism have given Catholics (especially the Irish) a hang-up on sex but not on truth or social justice.

Popes have been wrong in the past, and there is no need to draw up a catalogue of outrageously erroneous formal papal statements to suggest that there is at least a possibility that *Humanae Vitae* is not the last word on the question. Many European bishops have treated the encyclical respectfully for what it is: an important statement to be considered seriously by mature Catholics in making up their consciences on the matter of contraception. They are in the Catholic tradition of respecting the well-informed conscience as each responsible mature person's ultimate judge of right and wrong.

Most Irish and Irish-American bishops see procedures another way. They have developed a truly marvelous loyalty to Rome, a Mafia-like loyalty that transcends conscience, human dignity, truth itself. Cardinal O'Boyle, of course, is the most extreme exponent of this kind of loyalty. Perhaps it is the loving-father-and-loyal-children concept that lies back of this irresponsible exercise of episcopal authority. Little children, after all, have not developed consciences. There is only one Holy Father in the Church. Does this mean he is the only one capable of having a mature conscience? Cardinal O'Boyle, in all sincerity, seems to believe this. But mature, educated Catholics have an inherent right to be treated as adults.

It is much easier not to carry that terrible gift of freedom which Christ gave us. To surrender it may appear Roman Catholic today, but it is neither Christian nor Christ-like. One cannot help recalling the "Legend of the Grand Inquisitor" that the skeptic Ivan relates to the religious Alyosha in *The Brothers Karamazov*. Christ comes to Spain during the Inquisition. He never speaks a word, but the people know him instinctively and flock to him. The Grand Inquisitor has him arrested and visits him in his cell to explain why he must be executed in the morning. Christ had made man free, a condition which frail man cannot bear. The Grand Inquisitor tells Christ it took the Church centuries to stamp out freedom and make people content again. Christ must be executed so that he does not again torment men with freedom.

So artfully does Dostoevsky spin the tale that one feels sympathy not for Christ but for the Grand Inquisitor who bears the burden of all men's consciences on his frail shoulders and now must execute Christ to preserve peace in the Church. His people are burden-free sheep; he is the tormented shepherd. But they are sheep. Only he is human. And in the morning Christ will be dead again.

TOBY STEIN

It is easy to be dismayed by those Catholics, of whatever station in life, in whom *Humanae Vitae* has triggered a set of reactions which seem to be straight out of another age. But to indulge long in such dismay is busywork: it keeps one from seeing whole and in perspective the Church right now.

Only a commitment—above and beyond the call of ordinary obedience—to truth and justice and Christian love can account for the guts with which the seventeen theologians of Catholic University articulated their refusal to accept passively the Pope's own conscientious convictions about contraception as the mind of the whole Church. Only theologians with a lot of good life in them could have supported the right of the laity to dissent, as Karl Rahner has, or declared that the very credibility of the Church is involved, as Bernard Häring has. Only a theologian of deep faith could have stated for publication that the Pope is—simply!—wrong in this case, which is what Hans Küng has done.

The Belgian and Dutch and West German bishops have exercised their pastoral responsibilities with attention and charity. The dissenting priest-members of the Association of Washington Priests have said—and reiterated—that regardless of the coercion already exercised and that which is yet possible (however unthinkable) they will not teach and preach the substance of Pope Paul's encyclical without expressing their considered theological and pastoral objections to it. The seven priests of the Buffalo seminary, whose transfer upon their insistence on the right to dissent has seriously depleted

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that seminary's staff of men, manifested the courage not only of their convictions but also of their faith.

And then there is the laity, the legendary—and often all too real—sheep. Some, it is true, have been impeccably trained in automatic assent. For them, when Rome speaks, however fallibly, God speaks. So be it. (For now.) Some, having consulted their consciences, in light of *Humanae Vitae*, find they cannot in good faith practice contraception. So be it. (For always, perhaps.) But others—and one suspects that how many will only become apparent as courage breeds and feeds courage—have read and considered with the utmost seriousness the Pope's letter and found that its weight—which they grant is considerable—does not overwhelm their own formed consciences in this highly personal matter.

It was part of this very much alive laity which made up the 200 and more Catholics who walked out of St. Matthew's Cathedral on Sept. 22, when Cardinal O'Boyle read his statement—walked out, but, significantly, returned later for the rest of Mass. And it was as the duly elected representatives of more than 12,000 laymen throughout the country that the executive board of the National Association of Laymen issued a statement urging all laymen to join them in supporting the Washington priests, in saying "no" to Cardinal O'Boyle's attempt to line up the laity on his side. "The Cardinal says he wants to see peace restored. We do, too. But we feel that so long as he attempts to pit one faction against another in such a harsh, threatening and unchristian manner, there is no hope for peace within the Christian community of which he is a leader."

That sound is not the baa-ing of sheep. It's the sound of responsible dissent, of commitment to the gospel Jesus. That sound is not going to be stilled.

JUSTUS GEORGE LAWLER

Dramatis Personae

There is that doleful spaniel-eyed, self-deprecating, self-commiserating pontiff ejaculating anguish *ad urbem et orbem*. There are the pathological bleats from the flock ("We haven't slept together for 12 years, and we're perfectly happy." Mother of five, the Chicago *New World*). There are the kamikaze heroics of the loyal opposition (I cannot fulfill my mandate as ex-cathedra journalist, therefore I quit). There is the natural-lawyer with the pea-pod ethic ("Contraception kills as many babies as napalm"). There is the roly-poly prelate with the hysterical twitch ("A curse upon you."). There is the Cardinal stentor with the foggy horny mind, so blunt yet so submissive (a spayed is a spayed).

Rising Action

How solve it? (1) Forget it. From W. B. Yeats: Lionel Johnson would stand at the head of the staircase where the Rhymers met and recite the Creed, with particular emphasis on "I believe in the holy Catholic Church"—but only when he was totally drunk. *Sancta inebrietas*. Order a Montini, extra dry (one part absinthe, three parts lacrima Christi, a dash of bitters) always with ice: upon these rocks I will build my Church.

How solve it? (2) Join it. Integrate with the institution: join the NCCM, the KCs, or (as black Irish say) the Peter Cleavers. Malta does more than bishops can to justify God's ways to man. Sublimate. Support the erection fund; supply chairs for the standing ovation; get busy.

How solve it? (3) Evade it. Buy a scholar. Remember the Jansenists with *Unigenitus*, the Gallicanists and the future Council, Dupanloup's double shift. Read. Gide: *Les Caves du Vatican*—"No Pope is a frightful thing, but God save us—a false Pope is more frightful still. . . . The first act of the false Pope was that too famous encyclical at the thought of which the heart still bleeds." Read. Baron von Hügel: "This Pope's reign is an interregnum." Read. Archbishop Errington: "Msgr. [Lambruschini] rules the Church, not the Holy Spirit." Read. Archbishop Seton: "Canonists make problems for theologians to solve."

Climax

Back to the ultimate proof, the 110-proof virid charterhouse exhalation, on every bottle of which inscribed for Pope or peasant, emperor or clown: Stat crux dum volvitur orbis.

Dénouement (liberal trans.: enucleated nut)

A simple for survival. Deride the clichéers: the question is not one of credibility, of dogma, of morals, of authority. It's of geopolitics. It is just unheard of in all history that a worldwide power would voluntarily divest itself, in defense of an abstraction, of its most important, its most enlightened, *and* its most wealthy provinces: the whole non-Latin Catholic Church. If relentless pressure from this Church is maintained not all the satraps in christendom can withstand it. And no matter what heresy-hunts may be charted by provincial zealots, one may be certain the edict will go forth from the very pinnacle of the whole byzantine edifice to stop the persecution. Not even the most lemming-minded pontiff could long tolerate the prospect of casting down into the abyss the Catholicism of North America and Central Europe. One needn't put one's faith in celestial intervention; it is enough to believe in politics and time.

The kairos has knelled. The signs are there to be read. Baron Corvo's *Hadrian VII* will be made a musical, *Humanae Vitae*, an opéra comique (trans.: bedroom farce).

In the meanwhile, let us look to the Anglo-Catholic poet:

> If thou must choose
> Between the chances, choose the odd;
> Read the *New Yorker*; trust in God;
> And take short views.

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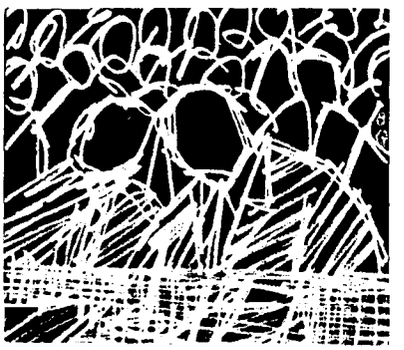
STALKING THE PANTHERS

The trial of Huey Newton touched a deep nerve in America

KATHY MULHERIN



Oakland, California, is a frightened, angry city. The man around whom all this fear and rage swirls is locked up on the tenth floor of the heavily-guarded Alameda County Courthouse; he was convicted Sunday night, Sept. 8, of voluntary manslaughter, which may keep him behind bars for as long as 15 years.

Follwing the announcement of the verdict in the murder trial of Huey P. Newton, founder and Minister of Defense of the Black Panther Party:

—Extra Oakland police patrolled city streets in unmarked cars.

—San Francisco and other Bay Area police departments were put on alert.

—Repeated denials from authorities did not quash the rumor that a camp heretofore used by the Job Corps was the center of mysterious troop maneuvers in the East Bay, and a local radio station reported that 14,000 National Guardsmen had been mobilized.

—On Monday, the streets of Oakland were saturated with Highway Patrol cars and police cars from surrounding communities, along with regular Oakland patrols.

—At 1:30 A.M. Tuesday morning, two Oakland policemen opened fire from their patrol car on the unoccupied Black Panther headquarters in the heart of the ghetto; some two dozen bullets smashed through the store-front window, ripping huge posters of Huey Newton and Minister of Information Eldridge Cleaver. The officers were charged with felonious assault in a complaint signed by Police Chief Gains and immediately fired by the city manager. Gains noted with dismay that the men had been drinking. Later, a police sergeant claimed that two hundred officers did not show up for work the next day in sympathy with the two men.

At a press conference, an attorney from the Policeman's Association, who had offered to defend the two in court, tried to explain why his clients "lost their cool" by comparing them to soldiers "who come back from the war for rest and recreation and they shoot up a village—they're suffering from battle fatigue." Policemen these days, he went on, are under tremendous pressures, abused from every quarter. "They bring their families into the war zone. . . . they are living in continual apprehension."

—Tuesday, a Bay Area newspaper (considered somewhat conservative) published a series of interviews conducted the day before with black and white people in the community. Generally, black people, especially poor and lower-income blacks, felt that the verdict was unfair; white people tended to feel that it was fair or that Newton should have been convicted of first-degree murder. All the policemen interviewed felt the jury had been "too soft" because the sentence for manslaughter would be a "cheap price to pay for an officer's life." Black teenagers expressed anger and warned of trouble.

One middle-aged black woman summed up the reaction: "Chile, will you tell me what's gong on? I'm a God-fearing woman and now that this Black Panther fellow got more than his people wanted for him to get and not as much as the police wanted, we're all in for it."

The trial lasted 34 days; it was a long, intense, bewildering experience for everyone involved. It was conducted in an atmosphere hardly conducive to calm and reasoned debate. And all this dramatic tension was supported by deeper, subtler strains: racism is a delicate reality, faced with it, the smallest nerves quiver.

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I set out to write dispassionately, objectively, and found myself writing words which rubbed dryly against one another like small cardboard boxes. People are suspicious of the Panthers, I thought. I must not make them think I am partisan.

Suddenly I realized I had fallen into the same trap that caught the jury, the judge, the prosecution and the media. They had set out to judge Huey P. Newton and found themselves on trial. Straining to be "color-blind," to function according to principles on which the legal system rests, they sought merely to determine whether Newton actually killed one policeman and wounded another on the 28th of October, 1967. Above all, they wanted to be fair. They wanted to prove that a black man, even one so controversial and frightening as the Black Panther Minister of Defense, could get a fair trial in America, in Oakland, California, a "war zone." Prove to whom? To themselves. Just as I wanted to prove to the reader that I would be fair, too. The impulse exposes us. To see this case color-blind was also to see it without depth.

Even so, the riddle was difficult to resolve. There were four witnesses to Officer John Frey's death:

Officer Herbert Heanes, who never saw a gun in Newton's hand and who was himself shot three times. He claims he shot Newton in the stomach, although he might accidentally have hit Frey;

Henry Grier, a black bus driver who claimed his bus headlights illumined the whole scene, alone saw a gun in Newton's hand, and insisted he saw Newton shoot Heanes and Frey. But Grier was mistaken about Newton's height and clothing and, in his initial statement to police, said he could not see the gunman clearly. Also, a passenger on the bus named Thomas Miller insisted that Grier was making change for him during the shooting and that it was too dark to see much of anything;

Gene McKinney, a friend of Newton's who was with him that night. Officer Heanes testified that he stood quietly by, unarmed. But in the last days of the trial, McKinney took the stand, and when defense attorney Garry asked him if he had shot Frey, he refused to answer on grounds of self-incrimination. The prosecution discounted the implication that McKinney might have shot Frey, but it disturbed the jury. After the trial, a juror told a reporter, "If Huey isn't satisfied with the verdict he got, he ought to talk to his friend Gene McKinney. He's the key to the whole thing."

The weapon: There is no evidence to corroborate Grier's testimony that Huey had a gun in his hand. Frey's gun has disappeared, and the police did not notice its absence until they got him to a hospital; it is thus conceivable, said Garry, that someone unrelated to the case might have picked it up. The prosecution contended, and the jury believed, that Newton had hidden his own gun and Frey's before he went to the hospital. Two expended 9MM bullets were found on the ground plus an unexpended one in the car Newton was driving.

The motive: Prosecutor Lowell Jensen argued that the defendant was on probation for a previous felony conviction and knew that if he was found with a gun and marijuana (two matchboxes were found in the car but they mysteriously disappeared *after* the police found them; Newton was not charged with possession), he would go to jail, so he panicked and tried to shoot his way out. Garry showed that his client's probation officer had told him his probation was over the day before. The Panther leader insisted he knew nothing about marijuana and had no gun.

The shooting: Jensen projected a description of what happened that night: Huey shot once with his own gun drawn from his shirt, then wrestled Frey's gun away from him and altogether shot Heanes three times and Frey five times. Inexplicably, police never made a routine test (neutron activation) to determine whether either had fired a gun. Newton was wounded in the abdomen.

Huey said Frey pulled him over, said, "Well, well, what do we have here, the great Huey P. Newton," demanded his registration and license, conferred with Officer Heanes who arrived to back Frey up, and returned to put Huey under arrest for "false identification." Newton protested, and he was frisked "in a very degrading manner." As he walked toward the patrol car with Frey, he opened the law book in his hand and asked why he was being arrested. Frey called him a "nigger" and straight-armed him, knocking him back several steps. He fell to one knee, looked up and saw Frey draw his revolver. Then, he claims, he felt something like "boiling hot soup" spill over his stomach and he blacked out. He remembers nothing until he reached the hospital.

The Context of Racism

On this level of the case, there were dozens of small mysteries, contradictions, discrepancies. The jury's verdict (voluntary manslaughter in the killing of Frey and innocent of the charge of shooting Heanes) indicates that they believed only part of Grier's testimony, since the first thing he claims to have seen was Newton shooting Heanes. In that case, who did shoot Heanes? If the jury thought McKinney might have done it, how did they reconcile Heanes' testimony that McKinney was unarmed? At least one juror had a "premonition" that there might be a fifth, still unknown person involved. There are literally dozens of factors which, in the opinion of many, created room for "reasonable doubt."

Interestingly, white people sympathetic to Newton followed the case very closely, probing the testimony for weaknesses in the prosecution's case, so they could prove to one another that Newton was innocent. But the Panthers did not seem to care whether Huey was innocent.

Power, says Huey P. Newton, says Mao Tse-tung, comes from the barrel of a gun. No doubt, but it belongs also to whoever can define what is real and what is not,

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what is legitimate and what is not. The court used its power (of both gun and definition) to make the defense deal with the question of Huey's guilt or innocence in the shooting of Frey. The only way the Panthers could get their leader back was to defend him against this charge, but they in turn forced the court to take their definition of the situation into account, for they turned the courtroom into a platform for their view of America; they made it clear that they considered the state, the court, the jury illegitimate, that Huey was in their eyes a political prisoner. They raised the most basic questions about the ability of the legal system to deal with disputes of this kind, and managed to create a good deal of doubt about its viability as a fundamental social arbiter. And if the jury decision was indeed a compromise, then it serves to illustrate vivdly that power, not justice, was the key to Huey Newton's trial.

What interested Charles Garry and Huey Newton above all was the context of racism in which the whole case was acted out, from the night of the shooting to the day the jury returned a verdict. There were two reasons for their determination to concentrate on this point. The first, and least important, was that the issue of racism offered them the best legal leverage. The legal system is believed to be

just, all men are equal before it, and its validity in American history and political life rests on this thesis—it is very sensitive to the charge of racism. So Garry set out to prove to the court that it could not give Huey a fair trial, that jury selection, the police and the "facts" were weighed against him.

The first two weeks of the trial were taken up with jury selection. Charles Garry sought to prove that current methods of jury selection were inherently prejudicial to his client; he offered expert testimony:

1. Dr. Jan Dizard, a sociologist from the University of California, testified that his studies showed that jury panels drawn from voter registration lists are discriminatory. The chief eliminators of prospective jurors were factors like high mobility and economic hardship; hence the poor and ghetto blacks tend to be excluded. Judge Monroe Friedman, 72, interrupted frequently to insist that the testimony focus on Alameda County, California.

2. Floyd Hunter, sociologist and author of a study of Oakland's power structure, tried to explain to the court why black people are frequently too discouraged to vote. The judge was skeptical that black people in Alameda county feel that way.

3. Dr. Hans Zeisel of the University of Chicago, who has studied the jury system, testified that racism is a major differentiating factor in opinions regarding capital punishment. Black people tend to oppose it. Those who favor it tend to oppose open housing and need less proof to conclude guilt.

4. Dr. Nevitt Sanford, a Stanford psychologist and one of the authors of a classic study of the authoritarian personality, pointed out that people who support capital punishment tend to be "authoritarian personalities."

5. Dr. Robert Blauner, University of California sociologist whose field is race relations, distinguished between "objective" and "subjective" racism: objective racism is institutional, and subjective racism is attitudinal. "Living in this [objectively] racist society," he said, "it is not possible for white people to be free of subjective racism." The judge asked if there was a way to test for racism. Noting that all whites including himself were infected with some racism, Blauner suggested that a juror who met four conditions would be most free of it: such a person would a) know something about black history and culture, b) be aware of his prejudice and be working to overcome it, c) have lived and worked with black people, and d) be actively committed to changing the racist structure—in his job and personal life.

It became clear that few jurors qualify. Dozens were eliminated for revealing blatant racist attitudes, but what was more significant was that the court did not seem able to absorb and incorporate the information presented by the sociologists. The judge was a crotchety old man who gave few signs of understanding its importance, and as the case dragged on, seemed to become increasingly involved emotionally. After hearing all this testimony, he swiftly denied Garry's motion to eliminate the entire jury panel. Indeed, there would have been no way to conduct the trial if he had accepted Garry's arguments. The flaw is too deep. The legal system requires that a man be judged by his peers; the underlying assumption is that all citizens are "peers," but it has been all too clear for some time, and was merely spelled out by this trial, that the relationship between white middle-class Americans and poor blacks is not that of "peers"—it is colonial. Huey's peers live in the ghetto of West Oakland and were unrepresented on the jury. Later in the trial, defense attorney Garry brought forward a black sociologist named Henry Blake who tried to explain something about the black sub-culture, ghetto slang and code words. He argued that words which mean one thing to a white man mean quite another to a black man; thus, the inflammatory language used by the Panthers when speaking of the police merely represented their demand for the removal of police from their community and an effort on their part to free themselves of the myth of the white man's invulnerability.

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(After the trial, a lady juror remarked in an interview that she found his remark very enlightening, which "surprised" her because "with that beard all over his face, he looked like a bum.")

But the court could not accept these arguments for a very good reason. The legal system is designed to arbitrate disputes impartially. If it does not represent, cannot even understand, some significant segment of the society, then it becomes a vested interest, a lobbyist for one interest against another.

The court refused to believe that America is schizoid, a refusal which forced it to behave in a schizophrenic manner. For, by insisting on a "color-blind" perspective, by denying the expert testimony which pointed to the racism inherent in jury selection, the court had to "make believe." Precisely, make believe: either the expert testimony was correct and the legal system must be radically overhauled, or it was false; to believe the first and go on with the trial would have been false pretense of the worst kind; to believe the second was delusion.

The second reason the defense concentrated on the issue of racism was that it felt strongly that Newton's indictment itself was the direct result of racism. Garry argued that the Black Panthers, and especially their leader, had been the victims of sustained harassment by the Oakland police ever since they had marched into the state legislature a year and a half ago heavily and legally armed in order to dramatize to black people their right to carry guns. In addition, he presented testimony which indicated that John Frey had a remarkably racist past, and that others in the case, such as the nurse at the hospital Huey went to for treatment after he was shot and the policemen she called to restrain him, had subjected him to brutally racist abuse. When he took the stand, Newton discussed, under cross examination, the many encounters he has had with the police. Prosecutor Lowell Jensen tried to show that Huey had a violent past and Newton, with calm and assurance, tried to counteract that impression by insisting that he had been victimized in every case. Evidently, all this testimony impressed the jury, because the manslaughter verdict implies that Newton was provoked into shooting Officer Frey. In fact, the same lady juror who was surprised by the sociologist's beard, declared that she didn't "blame" Huey for the shooting. In this respect, then, the trial represented a victory for the defense.

But there was a way in which the Panthers succeeded far more deeply. They wrested much of the power to define away from the prosecution, the judge and the jury. They did this in a number of subtle and not-so-subtle ways. They conducted a campaign based on the slogan "Free Huey," not, "give Huey a fair trial," not, "Huey is innocent," but simply, free Huey. Never once in the dramatic demonstrations they made around the courthouse and all over Oakland, nor in any speech nor in anything they wrote, did they mention Huey's innocence. They said: we are a subjugated population, a colony, and the "pigs" (*we* are human, *they* are animals) of the "mother country" have our leader captive—if they don't set him free, we will retaliate, we will make them pay in flesh and blood and destruction. We will destroy them if they do not return him to us.

They marched rhythmically around the courthouse in gleaming black jackets, carrying signs reading "the sky's the limit," chanting in ominous, beautiful antiphony: "Black is beautiful/Set our warrior free!" They appeared every day in the courtroom, sat silently, grimly, staring straight ahead. A black poet who covered the trial wrote: "You glance around you. The Panthers are sitting in the other section of the courtroom. You remember this scene and you feel for a moment that this is a legitimate battle, that the Panthers are only emissaries of a fully equivalent power, and that behind them stand black regiments, black cities, black presences, prepared to start battle if their people are not given justice."

And the court, the state, responded. The courthouse was heavily guarded by armed policemen stationed at every door; no one was allowed in without precise credentials. Every day, new press passes were issued, and every day, every spectator and reporter who entered the courtroom was thoroughly and uncomfortably frisked. And after the verdict, as I've mentioned, the city braced itself.

Cool Big Cats

Yet, for all the bristling, the Panthers played it cool. They insisted, as the trial drew to a close, that "the sky's the limit" meant exhausting all legal remedies, and when it was feared that the incident involving the two policemen who shot up the Panther office would precipitate a riot, Huey Newton held a press conference from his jail cell in which he strongly admonished his people to "cool it." Bewildered observers wondered whether the Panthers meant what they said, or if, in fact, they had been misunderstood by the white community. The answer may lie in a remark made by Newton two days before the verdict was in: Quoting from the third chapter of Ecclesiastes, he said. "To everything there is a season, and a time to every purpose under the heaven"; he told his followers that the police were "looking for an excuse" to injure and arrest Panthers.

The Panthers defined for black people the reality of the trial as they saw it, and declared it illegitimate, but they went one step farther and made the trial historic, made it a profoundly important experience for black people and many whites—they exposed the root: fear. Huey P. Newton founded the Panthers on the notion that his people would only be free of oppression when they were no longer afraid of the white man; the source of that fear lay in the white's power to kill them. That is why he focused on the issue of guns. And what everyone, absolutely everyone in that courtroom saw, was that Newton was not afraid, that

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his people outside were not afraid. As the weeks went by, the slight, dark man who sat quietly by his attorney, began to affect everyone in it. When he took the stand in his own defense, he spent perhaps five minutes describing the events of the night of October 28th. And then, with great dignity and almost imperturbable calm, he spoke at length about his people, their history, their slavery, their contributions to American history, and he spoke of the Panthers, how and why they began. He delivered, as far as it was possible, a series of lectures—to a captive audience. The judge and the prosecuting attorney showed remarkable patience with the young man as he rambled on; they seemed curious, respectful, and a little puzzled. Huey was not afraid. That fact was lost on no one, fascinated everyone—showed on the faces of the jurors, in the voice and manner of the prosecutor, in the awkwardly deferential treatment he was suddenly accorded by the police deputies who escorted him back to his cell, in the slightly awed articles by the press, which spoke of his serene, charismatic qualities, in a new gentleness in the faces of his friends and fellow Panthers.

Let us not exaggerate the drama—the truth is dramatic enough. Everyone was quite aware that Huey could be condemned to death, that no one could forcibly liberate him from his cell. Nor is Newton a saint; he was nervous when he first began to speak; his lectures wandered, became dull; his humor was wry and mischievous, and there were times when he must have been lying. He did not behave like a fanatic too wrapped up in delusions of grandeur to understand death; he is a young man, eager to work. But he made it very clear that he belonged to his people, to his culture, that he expected nothing from his captors.

It was this, finally, that made the trial powerful. Huey Newton's trial received national and international publicity—and however uncomprehending or biased that coverage might have been, Newton was given an opportunity to speak to his people. He used it well and shrewdly. How blacks in the poorest slum tenement must have laughed to hear or read of Judge Friedman's gruff bewilderment in the face of ghetto slang; they must have felt some wicked or bitter pleasure to sense the fear behind the judge's harsh inquiries into the meaning of the black slogan "by any means necessary," especially when Newton replied by reading from the Declaration of Independence.

Huey Newton has touched a deep nerve in America; he has, and probably will have, enormous support in the poor black community. He and the Panthers have used the trial to delegitimize the legal system; they have also shown themselves capable of defining their own value structure, and of overcoming their fear of white oppression. Those may well be revolutionary feats.

The sociologist Talcott Parsons once wrote: "Law flourishes particularly in a society in which the most fundamental questions of social values are not currently at issue or under agitation. If there is sufficiently acute value conflict, law is likely to go by the board. Similarly it flourishes in a society in which the enforcement problem is not too seriously acute. This is particularly true where there are strong informal forces reinforcing conformity with at least the main lines of the legally institutionalized tradition."

Law is thus, finally, a matter of faith. The world views represented at this trial, however, were so deeply opposed that they undercut the very foundation of faith on which the entire system rests. The jury must be twelve peers possessed of common sense, and common sense must spring from a common culture. But these were not Newton's peers, not of his culture—they were, in a sense, foreigners and, in the Panthers' eyes, foreign tyrants, colonial governors. All this explains why the jury's verdict, which was a compromise between these two world-views, was contradictory; the jurors despaired of finding the truth and sought to grapple with the balance of power. So, this long trial did not even succeed in eliciting the "color-blind" truth of that night.

For Huey Newton, the Panthers and black people, the trial was a step toward liberation from oppression, but for whites, and indeed, the society as a whole, the implications are awesome.

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JOHN FANDEL

FOR THOSE INFATUATED BY IGNORANCE

It is one thing to play with a watch;
to invent a watch is hard.
I think it should be easy,
at least to agree
that to invent a watch
is hard.

CLEMEWELL YOUNG

FROM AN UPSTAIRS WINDOW

Lines from an upstairs window
are written in April sun—
This is a girl's room,
and a tree's.
I have spread the bed,
green corduroy of lawn,
picked up old clothes and leaves.

The great oak watches, budded,
soon to invade with emerald shadows
all the secrets of these shelves
and drawers and precious boxes.

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THE SEASON OPENS

THE STAGE

There is a tradition—which I have not bothered to check against the facts—that the first play to open on Broadway each fall is a ritual sacrifice to the new season. As such, it is expected to reflect Broadway at its most conventional. A slight domestic drama would have been suitable right after World War II, a brassy and ultimately very moral sex comedy in more recent years. Judging by a news story in the *New York Times* the day after the 1968-69 season opened ("have scored with the season's first entry"), the kick-off production, *Lovers and Other Strangers,* is proving unsacrificial. Otherwise, it qualifies perfectly, for it is an exercise in the commercial theater's newest, slickest guise.

To begin with, *Lovers and Other Strangers,* written by a husband-wife team, Renee Taylor (who acts in it) and Joseph Bologna, is not a play at all, but an evening of four short comedies. The success of Robert Anderson's *You Know I Can't Hear You When the Water's Running* and Neil Simon's *Plaza Suite* has proved, in past seasons, that audiences will trade the padded *fun* of comedies like Muriel Resnik's *Any Wednesday* for the let's-get-it-over-with-and-on-to-the-next-one expectation of a group of one-acters. The Bolognas or their producer have even recognized that audiences no longer feel that they have to sit a full two-and-a-half hours to get their money's worth. *Lovers* is happily another short evening in the theater.

Yet, it is not the mechanics of the production as much as its tone that identifies it as a product of the new Broadway. The title provides the first give-away. Anything called *Lovers and Other Strangers* is necessarily out of the alienation bag from which the best and worst serious literary works of this century have come. With a few surprise exceptions—Paul Osborn's *Morning's at Seven* and an occasional scene from Tennessee Williams—the loneliness of it all was not a subject for comedy on Broadway until Murray Schisgal's *Luv* became a hit in 1964. The happy ending is no longer obligatory; if it is used at all, it is likely to be treated as a joke. *Lovers and Other Strangers,* like *Luv,* accepts, at least implicitly, that there is an inevitable failure in communication between human beings, in and out of bed, and that attempts to cope with that failure produce a rhetoric, composed chiefly of psychological jargon, that can be treated only satirically because it helps sustain the situations that it is presumably designed to alleviate. "My mother doesn't understand me" has replaced "my wife doesn't understand me" as this decade's sex joke, but the laughter rises from sexual failure where it used to come from the seducer's success. Schisgal's discovery was that the ordinary Broadway audience, the good suburbanite, is modern and enlightened enough to know that being modern and enlightened is funny, particularly if the playwright makes use of traditional comic stereotypes (the pathetic bumbler, the aggressive female) and standard gags, verbal and visual. Schisgal does that; so, less well, do the Bolognas.

The first of the four plays (none of them is titled) is nothing more than a revue sketch, building to a suitable black-out line. A willing pick-up resists the advances of the young man who has brought her to his apartment, spouting paperback clichés (specific references to Helen Gurley Brown, Simone de Beauvoir, Kahlil Gibran) as she struggles, giving in only after he has given up: "Aren't you glad we waited?" The Schisgalish lines are secondary to the physical comedy, the slapstick, and there is no attempt to achieved the pathetic figure inherent in the joke, the young woman who wants to decorate her sexual hunger with spiritual and intellectual ornaments. The second play also reduces itself to a gag, but before it gets there it involves a long discussion-argument between a husband and wife, set off by his refusal to make love to her, covering every inch of the bromidic ground where the masculine female and the emasculated male flourish. The difficulty with the piece is that that discussion sounds the same whether it is to be taken seriously or as a joke, and it is boring in both cases.

The other two plays are not dependent for their total effect on a single final line. They are incipient character comedies in which (1) a young man, after an accusatory monologue breaking his engagement, goes on with the wedding plans; and (2) a middle-aged couple, trying to convince their son and his wife not to get divorced, reveal the emptiness of their own and every other marriage they know. Here, too, the intention is broadly comic rather than sentimental—as my one sentence descriptions might suggest—but the plays are self-defeating because in both cases the joke is made too quickly and there is nothing to inspirit what remains of the play.

There are some genuinely funny lines in the four plays and a few nice acting bits—Zohra Lampert's horsy clumsiness in the seduction sketch, Richard Castellano's bemused delivery of the father's track-losing arguments in the last play. Finally, however, *Lovers and Other Strangers* turns out to be less funny and less touching than a good *Second City* sketch. (*At the Brooks Atkinson*)

GERALD WEALES

(*This week Gerald Weales becomes* Commonweal's *regular drama critic. A frequent contributor to this magazine over the years, Mr. Weales is Professor of English at the University of Pennsylvania, teaching dramatic literature. Formerly drama critic for the late* Reporter *magazine, he was the winner of the George Jean Nathan award for Dramatic Criticism, 1964-65. His books include* Religion in Modern English Drama *and the forthcoming* The Jumping-Off Place, American Drama in the 1960's.)

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THE SCREEN

It is not easy for a guy like me, who saw Fanny Brice often in his youth and thought her among the greatest, to review a movie now about the one-and-only Fanny. "Funny Girl" does not aim to tell the complete Fanny Brice story; it is based on incidents in her life; and its producer, Ray Stark, who also produced the original stage musical and is married to Fanny Brice's daughter, Frances, has been careful not to hurt the image of his famous mother-in-law. But in spite of her brilliant performance as "Funny Girl," Barbra Streisand is not Fanny Brice. I looked in vain during the long movie for those wonderful satirical skits that Fanny used to do in the "Follies" or on vaudeville stage: those take-offs on Camille, or a Jewish mother at the beach, or her burlesque of the whole repertoire of Russian dramas. Barbra sings better than Fanny did; and two of the high points of the movie are her fine renditions of "Second Hand Rose" and "My Man". Unfortunately "Rose of Washington Square," another of Miss Brice's hits, is not included.

Admirers of Barbra Streisand will go for "Funny Girl" in a big way. The critics were shown the film in a theater and were surrounded by an enthusiastic audience who broke into applause often—not only for Miss Streisand's good singing of the old Brice tunes, but also for her skillful handling of the Jule Styne-Bob Merrill songs from the stage show ("People," "I'm the Greatest Star" and, with Omar Sharif, "You Are Woman, I Am Man") and the new songs written for the movie. As an entertainer, Barbra is excellent and is in full command of her performance at all times. Maybe her command was too emphatic. While I don't believe the stories that she snatched the reins from director William Wyler it does seem odd that throughout most of "Funny Girl" Barbra seems to be the whole show and the good cast surrounding her get lost while the focus is always on Barbra. The casting of handsome Omar Sharif (with those romantic bedroom eyes) as the gambler Nick Arnstein was a mistake and gives the last and interminably-long half of the picture a laugh-clown-laugh tone that makes Isobel Lennart's screenplay run downhill. This part of the film would have done better with more musical numbers and less home-life-of-a-sad-star stuff.

My only complaint against Barbra Streisand is those extraordinary long finger nails that detract from her fine style and beauty (because she does have a sort of beauty in spite of the script's denying it again and again). However those lengthy nails may be a symbol of the overambitious girl's scratching her way to the top. But they also symbolize an artificiality that pervades the role. Barbra as Fanny admits she's always performing, always on stage, so when the heartbreak scenes come, we are never sure if the girl's heart is really broken or if she's doing an act preparatory to singing the poignant "My Man." And the effect of this is that Barbra herself seems to be cold and calculating, something that Fanny Brice never was. Fanny made fun of people in her skits and satires (like her parody of the great Pavlova doing "The Dying Swan") but her burlesques always had a warmth that showed she loved the people she kidded. In spite of its good production numbers and Barbra Streisand's luster, "Funny Girl" lacks this warmth.

For those who want more warmth and less luster, there's "Charly," producer-director Ralph Nelson's film about a mentally retarded man in his late 30s who is convinced by his psychiatric social worker that if he undergoes brain surgery he can become normal. But after the operation he develops into a genius—a child genius really because his emotions don't keep pace with his ability to learn facts. When he gets straightened out and becomes a complete and good man, he falls in love with his social-worker teacher, only to learn after an idyllic romance that his new-found mental condition is temporary. While this movie has a slight science-fiction kind of background, the story itself is so absorbing and the acting throughout so good that one is held from beginning to end.

Cliff Robertson is first-rate as the grown witless Charly and then equally good as the sedate fellow who knows all the answers. Claire Bloom is lovely as the teacher; and also fine are Leon Janney and Lilia Skala as the psychiatrists who test Charly and are proud of their achievement. Director Nelson gives us some good Boston backgrounds that lend a feel of place to this unusual story. Obviously "Charly" is not a film for everybody, but it is for those who want something different as well as a moving tale. Hardest to take in the picture is not gentle Charly's demented condition, but the cruelty of Charly's co-workers who play practical jokes on this child-man who never gets angry.

Being shown with "Charly" is the first short made under the American Film Institute's Student Filmmaker Program and a tremendous success "A Question to Mr. Humphrey" is. Don't confuse the title with any current political situation. The film, about New York City and displayed on a double screen, was made by Edwin Lynch whose wonderful sense of humor about the great metropolis is a delight to see and hear. He asks why people like New York, and as they answer, he either illustrates the reply or shows us the opposite of what they say. The New York audience with whom I saw this short chuckled continuously. I hope it is shown throughout the country, and that the American Film Institute continues its nicely started program, and that Edwin Lynch goes on making shorts and then graduates into features as good as this.

PHILIP T. HARTUNG

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BOOKS

The pacifist doctrine: a study in complexity

Protest: Pacifism and Politics

JAMES FINN

Random House, $8.95

PETER STEINFELS

When my review copy of *Protest: Pacifism and Politics* arrived, there being no note inside, I somewhat obtusely assumed the book was a gift from my always generous colleagues. Several months passed. I received another copy. Then two more copies from the publisher. I mean the book was good, but *four* (4) copies?

A letter confirmed my growing suspicions. Obviously I was supposed to have written a review; it was months late; I was a lazy good-for-nothing.

So to make up for lost time: Everyone should buy a copy of *Protest: Pacifism and Politics*. In fact, for the full effect, four copies. (Random House having kindly put out the book almost immediately in Viking paperback, you can buy four paperback copies for only slightly more than for one hardbound.)

Mr. James Finn is a specialist of complexity, as readers of his editorials in *worldview* are well aware. Unlike some such specialists, lost in awe before the multiple factors of government policy but quite willing to write off pacifism with gross generalizations, Finn is even-handed. Having first planned a "topography" of the protest world, his respect for nuances and divergences led him to present not his own summaries but interviews with 35 members of different wings, legs and toes of the "peace movement." The result is a thick book, not easy to read through, sometimes confusing in its mass of raw materials, never made facile by convenient pigeonholes—"nuclear pacifist," "absolute pacifist," etc.

From the point of view of pacifist doctrine alone, a collection of articles might have served better. In any case I would have appreciated even more commentary and analysis by Finn himself. But the author and editor is interested not only in ideas but also in the network of groups and personal ties which make up the anti-war establishment, and in the temperaments and personal histories of his contributors. For its treatment of *all* these factors, *Protest: Pacifism and Politics* is a document which will be relied upon for many years.

Personally I react to this document in two very different ways, depending upon the context. The first context is very specific: American involvement in the war in Vietnam. Opposition to the war is the point at which the peace movement is most unified, most prophetic, most courageous. The war in Vietnam is not a horrible sideshow but a major event in U.S. history; and by their opposition the pacifists have entered permanently into our history, even should the organizational and theoretical shortcomings of their movement cause it to fold up next year and never be heard from again.

The second context is that of the history of peace movements in general, a history which is more or less sorry. The fate of the socialist anti-war movement in 1914 is well-known, like that of the British students who swore never to fight for King and Country before World War II. Pacifist publications from the '30s are filled with poignant images: Reinhold Niebuhr and James Wechsler (then editor of the school paper) denouncing war at Columbia University in 1935, while a sign at the rear of the auditorium pledged the audience "never to support the U.S. in any war whatever it may be."

During the last half of the decade, left-wing pacifists in France were helping to clear the way for the "gravediggers of France" and Vichy by splitting every major anti-fascist group over the issue of appeasement. (Except the Communists, of course, who then stood on their heads when Molotov signed with Ribbentrop.) All too many of these left-wing French pacifists eventually became collaborators with the Nazis in the name of European unity and Franco-German rapprochement. In their desperation a few even turned anti-Semitic, explaining the war as a Jewish attempt to overthrow Hitler and save the Jews from persecution.

The question is not simple. Who can claim to have performed admirably in this century? The diplomats? The soldiers? The great political traditions? The churches? The book reviewers? The moral sensitivity, the conviction, the courage of many individual pacifists cannot be questioned. But as a *movement,* pacifism has sometimes encouraged war as much as hindered it. As a movement, pacifism has spread illusions as often as it has told unseemly truths. It would be reassuring if more of those whom Finn interviews seemed aware of this history and thus not condemned to repeat it.

I am naturally attracted to the several who are conscious of this past or even of the past in general: Staughton Lynd, for example, who admits that as a historian he cannot accept many pacifist assumptions about the role of violence in history; the Jewish pacifists who, one way or another, must come to grips with Hitler and the Holacaust. Compare the remarks of two Catholics whom I respect very much. Father John L. McKenzie suggests that given the cost and consequences of World War II, "it might have been better to sit down and think whether he [Hitler] could have been tolerated." Tom Cornell proposes that we could have met the Nazis with open arms and the greeting "What little I have you're welcome to."

Sitting down and tolerating Hitler seems to me a strikingly unsatisfactory way to describe the option of Nazi domination which faced millions of Euro-

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peans at the end of the '30s. "What little I have you're welcome to" . . . does the offer extend to Jewish relatives and neighbors? More than I disagree with these proposals—we might as well think about the unthinkable, being so willing to perform the unthinkable in Vietnam—I am disturbed by the folksy, "common sense" language in which they are expressed, totally inadequate to the tragedy of the subject. A genuine pacifism will also be an explicit or implicit approach to the problem of evil, or rather, as we have learned from Marcel, to the *mystery* of evil. It will express itself in a manner accounting for all the irony, contradictions, sorrow, and *mystery* of our existence (is this not the reason why Dorothy Day is one of the most important pacifist figures of the century?) and not in the rationalist fashion of the World Constitution Writers, the Grandmothers' March against Wartoys, or any of those other children of 19th-century optimism.

In general, the pacifists represented here are open and undoctrinaire. Their outlook is formed by a wide variety of experiences, the civil rights movement, the nuclear war issue, the revolutions in developing nations. (In contrast, for example, with the pre-war French pacifists, who judged virtually everything by analogy to August 1914 and World War I; curiously, the closest thing today to this fixation is the Government's attitude toward Munich as the Key to History.)

Many of the interviews reveal how unresolved the central question remains, having to do with justice and non-violence and the fact that situations arise where these two values cease to be mutually supporting. The resulting "conflict of interest" can be no less formidable for non-pacifists. Witness the usual Paul Ramseyfications or Finn's interview with non-pacifist William V. O'Brien, who ends up speculating on the possibility of a theory of Just Torture! For the pacifists the stumbling usually begins when Finn raises the question of violent revolutions in the underdeveloped world. Several pacifists, like Bayard Rustin, admit the inconsistencies in their effort both to support these revolutions and to witness to non-violence; but, he says, there are "equal numbers of inconsistencies on both sides."

More pacifists will have to develop a comprehensive approach to this question, modifying their thought where modification helps, clearly stating the unresolved problems where contradictions remain. Until then the trend will continue, that, for better or worse, non-violence and conscientious objection serve less as permanent positions for young people than as halfway houses between apathy and the advocacy of revolutionary violence at home or abroad.

The Catholic Crisis

THOMAS F. O'DEA

Beacon Press, $5.95

PHILIP DEASY

Back in the good old Catholic Salk-, Catholic Einstein-seeking days of a decade ago, Thomas O'Dea, then on the Fordham faculty (now director of the Institute of Religious Studies at the University of California, Santa Barbara), wrote a book called *The American Catholic Dilemma.* In it Professor O'Dea considered from a sociological perspective, conditions inhibiting intellectual life among American Catholics. Put starkly, the dilemma for the Catholic intellectual was: either he must give up his Catholicism or give up his intellectual activity. In that portion of his new book devoted to an analysis of Vatican II's decree on the Church and the modern world, O'Dea takes full cognizance of the happier conditions now prevailing. The Church officially accepts the autonomy of science and scholarship; the Catholic need no longer remain a child in things of the mind.

O'Dea's earlier approach to the plight of the Catholic intellectual was diagnostic, not prescriptive. His concern was with the causes that inhibit intellectual development. His approach in *The Catholic Crisis* is similar. Early on, he asks four questions relevant to the position of the Catholic Church in these immediate Vatican II days, and then, since he thinks they are sufficiently important to be asked again, repeats them later: "Can the Catholic Church actually update Christianity? Can it adapt to the mentality of modernity Christian ideas and values, Christian conceptions of God and man, Christian convictions of the reality and seriousness of the religious life? Can it accomplish this by giving to the challenging aspects of modernity the full valence they demand and at the same time not lose its deeper character and basic identity? Can Catholicism confront the consequences, intellectual and spiritual, of modern developments in science and scholarship and in political, social, and economic life and adapt to them and still preserve its own lively sense of God's reality and presence?" *The Catholic Crisis*' answer to these key questions is a cautious yes.

As O'Dea sees it, the answer to these questions, is a burning concern not only for Catholics. The Catholic Church in its crisis of growth is seen as a surrogate of all Christianity and, indeed, of the whole intellectual Western world. All men concerned with problems of mean-

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ing and with questions of ultimacy and transcendence are looking to see if *aggiornamento* in depth can be effected. Christianity in its traditional form failed them, but so also did Christianity's substitutes: Humanism, Marxism, Scientism. "A general rediscovery of the existential message of Christianity would be nothing less than a great world historical renewal in a western civilization long in crisis." Western Europe and America have long experienced a crisis of values. The Catholic Church, in successfully resolving its own crisis of confrontation with modernity, could provide a sense of direction in a worldwide intellectual and moral crisis.

Professor O'Dea sees Vatican II beginning a process that he calls sociological demythologization. He explains that he uses the word "myth" in the strict sociological sense of using "human language to speak of divine things." The traditional Church has long suffered from a high degree of verbalism. To demythologize is to get rid of verbalism and to speak of these divine things "in more contemporary or at least more contemporarily appropriate ways."

The heart of *The Catholic Crisis* is the close reading of three of the sixteen Vatican II documents: "The Dogmatic Constitution on the Church, or *Lumen Gentium*"; "The Pastoral Constitution on the Church and the Modern World, or *Gaudium et Spes*"; and "The Dogmatic Constitution on Divine Revelation." Between explications there is a sketchy and textbookish chapter, replete with needless exclamation points about the Church's earlier attempts at modernization. This account emphasizes the modernism crisis brought about by the writings of Abbe Loisy and Father Tyrell, and the subsequent encyclicals condemning their views and the establishment of the antimodernist oath. The latter is referred to as a "long-standing monument of ecclesiastical McCarthyism."

O'Dea has found much enlightenment for his commentary on the three conciliar documents in the proceedings of the International Theological Conference held at the University of Notre Dame on March 20-26, 1966. He quotes often and at length from the theologians who addressed the conference. He also draws upon the work of Ernst Troeltsch, and concludes with a two-page quotation from Max Scheler. There are no references to such well known earlier accounts of Vatican II as those by Novak, Rynne, Küng, McAfee Brown, Blanshard, MacEoin, etc.

"Sociological demythologization" and an oddity or two like "askewness" notwithstanding, O'Dea's writing is conspicuously free of the nebulous verbosity and jargon that so often mar the work of other practitioners of his academic discipline. Few laymen could bring such perception, sympathy and tempered optimism to the issues raised by Vatican II. For this reason, despite some dry stretches in the more explicatory pages, *The Catholic Crisis* is an absorbingly interesting commentary.

Who Rules America?

G. WILLIAM DOMHOFF

Prentice-Hall, $4.95

WILLIAM SCHECHNER

The ability of the American political system to draw the programs of left and right into the great middle has often been called its genius. Arguments can be made that this talent for centrism has made it possible for a society as vast as ours to spread across a continent and still manage to govern itself through democratic institutions. Only once, during the Civil War, has any large group felt sufficiently wronged or even threatened seriously to pull out. Since then the Populists have been absorbed by the Progressives, the leftists by the New Dealers, the Birchers by the Republicans, and so on.

New Concepts from Newman Press

WOMAN: A Contemporary View
By F. J. J. Buytendijk

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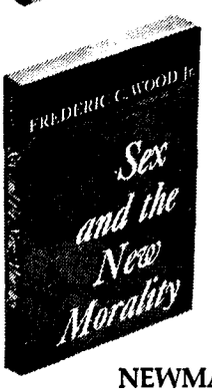

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But now an unease about this "genius" of the system is loose. Revisionist historians are writing that many of the reforms of the past were either specious or patchwork; Black Power advocates are saying that absorption is bad and independence is good; New Leftists tell us that the problems we face today are the results of years of prevarication and horse trading, and it is time to realign the power relationships so that institutions respond to people instead of vice versa. Be this as it may, the prospects of a move away from the politics of the center seem dim (Nixon vs. Humphrey?), and in a trim little book that is heavy with fact and well laced with wit, G. William Domhoff gives some clues as to why this is so.

The title is *Who Rules America*? and the answer is the upper class, the social elite which owns most of the nation's wealth, receives more than its share of the nation's income, and "contributes a disproportionate number of its members to the controlling institutions and key decision-making groups of the country." They do it through domination of America's financial and corporate resources (via stockholding, control of boards of directors, and interlocking financial combinations built around various investment banking houses). This money power leads to key roles on the boards of trustees of most of the great universities, foundations, and associations, which in turn set the tone and limits of acceptable political and intellectual discussion.

The upper class, Domhoff argues, controls the choice of Presidential candidates by virtue of being able to refuse necessary financing for those who are unacceptable, and then plays a dominant role in the affairs of state since its members are frequently tapped for central spots in the Cabinet (especially in the State, Defense, and Treasury Departments), in the inner circle of top advisors, and among the ambassadorial corps. In sum, this leads to upper-class control of the federal government which carries with it the military, the C.I.A., and the F.B.I. In fact about the only institutions which are upper-class-proof are local governments (not really interested) and the Congress (too diffuse).

Domhoff makes no point about a conspiracy, and in fact he declines even to evaluate upper-class performance. "This book," he writes, "has not tried to show that the rule of the American upper class has been a benevolent or malevolent one. Rather it is concerned with the existence and mechanics of the national upper class. . . ." So who are they? Domhoff says that the upper class operates socially within a series of boundaries marked off by institutions including the elite prep schools and universities, the gentlemen's clubs, the fraternities and sororities—all of which give the class cohesiveness and consciousness of itself. Many members of the group are listed in one of the nation's social registers. So for the analysis he presents, Domhoff regards anyone associated with one or another of these groups, or listed in a social register (with the exception of the Washington edition which is too heavily packed with politicians), or a blood relative of one so associated, as a member of the upper class.

But this leaves the upper class short of manpower, and so it has taken in through co-optation (the process whereby an individual is assimilated into a group and its values become his own) a corps of managers and technicians corporation executives, who would like to enter the select group.

It is a fascinating analysis, and along the way several old saws are put to rest: the widespread stock ownership that the New York Stock Exchange likes to talk about does not alter the fact that the top one percent of the population holds a quarter of the corporate stock, nearly all the bonds, and almost 30 percent of the nation's wealth; the common man's image of the Democratic Party is also more dream than fact, in light of Domhoff's findings about the upper class connections of key Democrats since 1932. In 1960 and in 1964 nearly 45 percent of the persons contributing more than $10,000 to the Democratic Party's campaign were upper class. The notion that the upper class is monolithic in outlook crumbles before the splits not only between Democrats and Republicans, but also among the upper class supporters of the two parties who engage in bitter intramural fights. And this catalogue is only the beginning. The reader is advised to go slowly and savor Domhoff as he plucks feathers off everything from the Ford Foundation to the Hearst newspapers.

Domhoff's point is descriptive, but

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POVERTY OF SPIRIT

By Johannes B. Metz

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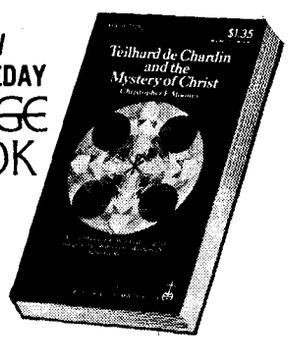

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the implications go much further than that. It would appear that the key foci of power lie with the upper class—which means that the parameters of choice and the limits of respectable discussion are based on upper class notions and values. People beyond the pale—Hippies, Yippies, Leftists, and even McCarthyites—are (as they have indeed been) condemned with reactions ranging from down-the-nose amusement to hostile disgust by the bulk of the population while to the insiders they are boat-rockers or worse. In light of the creation of this kind of political Emily Post, it seems significant that the late Senator Robert F. Kennedy had a public respectability by virtue of which he overcame the negative aspects of his appeal to the rejected portions of the electorate. Others, like McCarthy, were less well-connected. With McCarthy's defeat, the possibility of a real challenge to upper class dominance of American politics was foreclosed for the immediate future.

If Domhoff is correct, what remains is a system managed by men from a single social group with definite ideas, which make it difficult to envision real change or even real discussion. It could be argued that this inherent conservatism is a good thing. But probably not for these times. It remains to be seen whether the distance from the Board Room to the street is not so great as to make the present politics unequal to the task.

CORRESPONDENCE

(Continued from page 43)

and sold out conviction to party power. We know NOW that we must ally ourselves to men like Senator McCarthy, Senator McGovern, Senator Ribicoff, the delegates from New York, New Hampshire, California, Vermont, Wisconsin, who were not afraid to speak out.

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Right of Whom?

New Haven, Conn.

To the Editors: . . . I deplore the occasional lapses which warn that *Commonweal* could lose the identity of its name and tradition, becoming the organ only of a sect. That outcome is threatened whenever shrill outbursts of insidious, unfair, unsubstantiated, and even erroneous accusation are permitted in columns normally devoted to careful and logical exposition. An example, still rare but not unique, occurs in your September 20 issue.

John J. Quirk there describes "Humphrey advisor" Morris (not Morriss) Janowitz as "a military sociologist." Professor Janowitz is a sociologist who studies the military; in context the phrase manages to imply a sinister association that in fact does not exist. Quirk also refers without amplification to Professor Zbigniew Brzezinski (not Brezinski) as "an unapologetic disciple of an electronic technocracy." I'm not sure what that means, but it sounds bad

the sharing community

Parish Councils and Their Meaning
by David P. O'Neill
Drawing upon his years of pastoral experience, Father O'Neill suggests guidelines for the practical development of parish councils. He understands the difficulties many councils face as they explore this new area of parish life, but with gentleness and a true sense of charity he shows how an effective start can be made by accepting things as they are and building from there. A book for all those who envision the parish as a true expression of Christian community.
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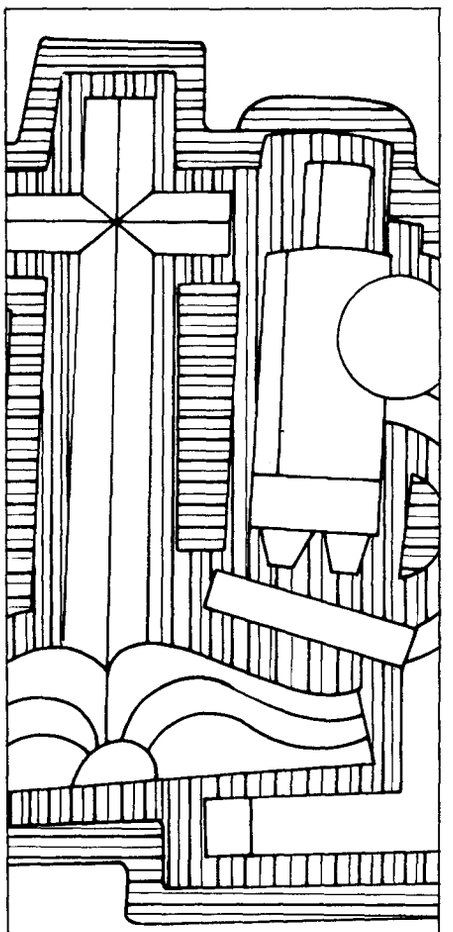

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and I doubt that it's true.

More serious is Quirk's final line: "Humphrey is, if anything, *once again* (my italics) to the right of Richard Nixon." If the author truly believes that the Vice President is *now* to the right of Mr. Nixon he is entitled to his opinion, though most of us will disagree, however much we desired the nomination of Senators Kennedy or McCarthy and however disappointed we are with Mr. Humphrey's recent behavior. But the charge of *past* extreme conservatism insults my intelligence and your credibility. . . . BRUCE M. RUSSETT

In Defense of HHH

Princeton, N.J.

To the Editors: What are we to believe of the capacity for political analysis of a review of public affairs which declares (in one issue, Sept. 20) that Hubert Humphrey's program "is not radically different from that of Messrs. Nixon or Wallace" [editorial]; that he is "now once again to the right of Richard Nixon" [John J. Quirk]; and that "the Democratic Party adopted a Republican position in Chicago" [Michael Novak].

True, the editorial mentions (and dismisses as unimportant) the differences between the parties on race and states' rights. But it never alludes to the Democratic platform stands on such issues as welfare, international economic relations, the Riot Commission, and "justice and law." Humphrey's present and past record of liberal reform is not even mentioned. Instead we get a fuzzy-minded equation of Humphrey and Johnson and Daley and Nixon and Wallace—and all as part of a pattern of incipient fascism in America.

America will not be destroyed by the stupid brutality of an inept and antediluvian city machine that will soon go the way of similar organizations elsewhere. It may well be permanently harmed by the incapacity of liberal intellectuals to distinguish between a sincere and reform-minded leader with a forward-looking program on all issues but one, and a cynical opportunist whose basic instincts on all major domestic and international issues are likely to lead the country to disaster if he is elected. PAUL E. SIGMUND

In Defense of Authority

Great Falls, Mont.

To the Editors: Shades of Margaret Sanger! I never expected to find a "Catholic" periodical blasting away at the Pope for reaffirming the Church's stand on birth control . . . Be advised that there are many of us who rejoice in the truth and beauty of the words of "Humanae Vitae"—and in the courage and integrity of our Holy Father to pronounce them. We deplore the criticism against the American Bishops for their loyalty to the Pope. Paul VI spoke from his position as the head of the Church on earth. Roman Catholics should not have to be reminded of this. You express concern about lawlessness among nations, among students and races; now you advocate breakdown of authority in the Church.

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Is all the clamor really about birth control? Behind it all one detects an injured air of grievance against authority. If this is the real issue—freedom versus authority—let it be recognized as such; let us stop forcing a fabricated moral dilemma on married couples that does not necessarily exist. It is conceivable that this mass of the Faithful could be manipulated as a wedge against Papal authority.

Before man, who has received the gift of life, denies new life for fear of overpopulating, let him appraise his situation. What has been done with the surplus food, the abundance of material goods, the potentially usable space? God is still a Provident God—it is self-sufficient man, now demanding more freedom—more self-rights, who has not yet learned to share these gifts, to really care, to love. . . . MRS. JOHN HURLBUT

Reverence and Love

New York, N.Y.

To the Editors: Father Bernard Häring's article, "The Encyclical Crisis" [Sept. 6] is a splendid blend of reverence for the papal office and love for Pope Paul VI with a conscientious dissent to the non-infallible and reformable *Humanae Vitae* and a willingness to express that dissent. The great Redemptorist scholar thus sets an example that theologians in all countries might profitably follow.

His exposition of the persons and influences which shaped the majority and minority reports of the papal commission is especially revealing. Coming from a theologian on that commission, his observations disclose the determination of a small clique of very conservative members of the Roman Curia, especially members of the Holy Office, to prevent any liberalization of the preconciliar regulations . . .

As bishops have asked that Catholics write to the Pope, praising the encyclical, it would be well for readers who view it with disfavor and regret to write also. This will give His Holiness a more balanced and accurate picture of the reaction of American Catholics.

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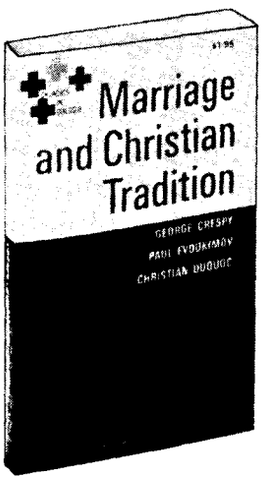

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